

Landscape Review Committee
Community Development Center, 231 NE 5th Street
October 17, 2018
12:00 PM

Committee Members	Agenda Items
<p>Rob Stephenson Chair</p> <p>Sharon Gunter Vice-Chair</p> <p>Josh Kearns</p> <p>RoseMarie Caughran</p> <p>Tim McDaniel</p>	<ol style="list-style-type: none"> 1. Call to Order 2. Citizen Comments 3. Approval of Minutes <ol style="list-style-type: none"> A. May 16, 2018 (Exhibit 1) B. June 11, 2018 (Exhibit 2) 4. Action Items <ol style="list-style-type: none"> A. L 13-18 – Landscape Plan (Exhibit 3) 435 NE Johnson Street B. L 36-18 – Landscape Plan (Exhibit 4) Baker Creek Apartments C. L 37-18 – Street Tree Removal (Exhibit 5) 1933 NE Coburn Drive D. L 38-18 - Street Tree Improvement Plan – (Exhibit 6) Cottonwood 1st Addition 5. Discussion Items 6. Old/New Business 7. Committee Member Comments 8. Staff Comments 9. Adjournment



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311

www.mcminnvilleoregon.gov

EXHIBIT 1 - MINUTES

May 16, 2018
Landscape Review Committee
Regular Meeting

12:00 pm
Community Development Center
McMinnville, Oregon

Members Present: Rose Marie Caughran, Sharon Gunter, and Rob Stephenson
Members Absent: Josh Kearns and Tim McDaniel
Staff Present: Chuck Darnell – Associate Planner and Heather Richards – Planning Director
Guests Present: Scott Hill – Mayor, Morgan Will

1. Call to Order

Chair Stephenson called the meeting to order at 12:00 p.m.

2. Citizen Comments

None

3. Approval of Minutes

A. January 17, 2018 Meeting Minutes

Committee Member Gunter moved to approve the January 17, 2018 meeting minutes. The motion was seconded by Committee Member Caughran and passed 3-0.

4. Action/Docket Item (repeat if necessary)

A. L 1-18 – Street Tree and Landscape Plan

Associate Planner Darnell presented the street tree and landscape plan for the Baker Creek West and Baker Creek East subdivisions. The Baker Creek West development consisted of 125 single family residential lots and one lot for multi-family development. The Baker Creek East development consisted of 83 single family lots. For the Baker Creek East development Hornbeam was proposed for the street trees. There was also an open space area for the residents and some existing trees by the open space which would be preserved. The perimeter of the detention ponds would be lined with Red Cedar trees and the interior would have a water quality seed mix. An additional pedestrian accessway would be included through the detention and natural drainage area. The pedestrian path would be landscaped along the perimeter where possible, and there would be a pedestrian boardwalk over the actual wetland areas as well.

There would be one Homeowners Association for Baker Creek East, and one for Baker Creek West. These associations would maintain the landscaping and trees. The Hornbeam was on the City's Street Tree List as a medium tree with a maximum spacing standard of 30 feet. In the plan most of the locations were not meeting the 30 foot maximum due to driveway locations and where water meter and services were. Staff suggested a condition that the applicant would follow the 30 foot spacing where possible.

Chair Stephenson said with this type of columnar tree, it would never achieve a tree canopy with the larger spacing. He suggested looking at a different variety of tree that would be more expansive.

There was discussion regarding creating a condition that a different street tree be chosen that had a wider canopy. The Committee also thought more Cedar trees should be added to reduce the spacing. They were in favor of denser landscaping.

Associate Planner Darnell pointed out areas where proposed trees were in conflict with services as reported by McMinnville Water and Light. Staff suggested that a condition be added to allow for the trees that were in conflict to not be installed in those locations and to add those trees to other areas in the development.

Morgan Will, applicant, said the utilities were being installed and sites were being paved and the streets were in. He asked that the application not be sent back to be redesigned as it would seriously delay the project. There might be conflicts now with the tree locations as it was possible things had been changed in the field during construction. He thought there could be a condition stating at the time of the building permit these trees would be put in where there was opportunity and a condition that stated where more plantings could be added, the applicant would add more. If the Committee wanted a different street tree, he was open to that as well.

There was discussion regarding the plans for irrigation for the development. There was further discussion regarding why the street tree species was chosen when it did not meet the spacing standard and the trees that were in conflict with the services.

Chair Stephenson said the Committee was asking for a larger canopy tree and tightening up the plan as much as possible to include more trees.

Associate Planner Darnell said McMinnville Water and Light agreed to allow trees to be closer than ten feet to the water meters if there was a root barrier installed. Due to the closeness of the planting strips and driveways, he suggested root barriers be installed anywhere where a tree was located less than ten feet from a water meter, and in every location where a tree was completely bounded by pavement at driveway approaches.

Committee Member Gunter thought this should be sent back to be redesigned, but suggested to give staff the authorization to approve it if the changes the Committee recommended were made. They could also hold a special meeting to review the redesigned plan.

Associate Planner Darnell then reviewed the Baker Creek West proposal. These were smaller and narrower lots and there were more conflicts with utilities, driveways, and street trees. The applicant proposed to use Red Sunset Maple trees that had a wider canopy. Where there were not driveways and utilities, the applicant met the 30 foot spacing standard. For the other locations, there were larger gaps of 35-40 feet.

Mr. Will explained the widths of the lots, utility locations, and the plans for the street trees. He agreed with the condition to add root barriers for all of the trees.

Associate Planner Darnell discussed the comments made by McMinnville Water and Light which included some conflicts with the proposed street trees and street lights, water meters, and fire hydrants. In some cases the trees would not be able to be installed. For the open space tracts, the applicant was proposing to install turf grass, which staff was supportive of as it would be usable space for the residents. Katsura trees would be planted along the outer perimeter of the open space tracts and the detention area would have Red Cedar on the outer perimeter. The details of the play equipment had been reviewed by staff and it was approved. There would be pedestrian accessways that provided accessibility within the subdivision and to connect other areas outside of the subdivision and he explained the landscaping for those areas.

Chair Stephenson was unsure about the use of Katsura in a turf irrigated area.

Associate Planner Darnell said the applicant would need to follow the City's direction for the tree pattern on the Hill Road frontage.

Chair Stephenson declared that he had designed the street tree pattern on Hill Road.

Associate Planner Darnell noted some typos in the conditions. He clarified the Committee had concerns regarding the spacing standard and the location of utilities and the application would be sent back for adjustments. A different street tree should be chosen for Baker Creek East and more trees should be planted around the detention ponds.

There was discussion regarding the irrigation for the sites and how the trees would be preserved on Baker Creek Road.

Chair Stephenson cautioned that those trees had not been maintained and some were dead or dying. Associate Planner Darnell said there could be condition that the applicant provide an assessment of the trees and if there were some that were dead that they would be replaced. He would provide the applicant with the comments from McMinnville Water and Light and the Street Tree List. They could hold a special meeting to review the revised plans.

The Committee suggested using Sycamore trees as an alternative.

Chair Stephenson also recommended a brick wall running down Hill Road for consistency.

There was discussion regarding the development, trees, and fencing and how it was an important area in the community and had to be done right.

Committee Member Gunter moved to continue the application to allow the plans to be updated in response to the committee's concerns with utility setbacks and tree species. Motion was seconded by Committee Member Caughran and passed 3-0. Chair Stephenson told the applicant that they would be willing to hold a special meeting to review the revised plans if they were provided in a timely manner.

B. L 10-18 – Landscape Plan

Associate Planner Darnell reviewed the landscape plan for the expansion of an existing industrial site and facility on NE Riverside Drive. The applicant planned to add more mini-storage buildings. He was proposing to install four Autumn Spire Red Maple trees in the linear planting strip. Between the trees, the applicant was proposing a variety of smaller shrubs to fill out the planter area. In addition, the applicant was proposing to install a lawn and landscaped area along the site's frontage on Riverside Drive. This was consistent with what had been done on the site

previously. The BPA tower easement included some limitations on height due to the overhead wires, so the applicant proposed a variety of smaller shrubs to be installed in this area.

Committee Member Caughran moved to approve L 10-18. The motion was seconded by Chair Stephenson and passed 3-0.

C. L 11-18 – Street Tree Removal

Associate Planner Darnell discussed the application to remove seven street trees on NW Troon Court due to the trees causing lifting and cracking of the sidewalks adjacent to the property. An arborist had looked at the trees as well and stated that there was cracking and minor sidewalk heaving. No maintenance could be done without damaging the trees and the arborist recommended removal. Associate Planner Darnell also pointed out that there was one tree within 8 feet of a street light and one within 5 feet of the water meter. The Public Works' staff said interim measures could be taken, such as grinding the sidewalk. The applicant was trying to get out in front of additional damage that might occur and suggested planting five replacement trees.

There was discussion about the current condition of the sidewalks, which was minor cracking and lifting. The Committee did not think the damage was extensive enough to warrant removal. The applicant could grind the sidewalk down if there was a safety concern.

There was further discussion regarding removing the tree that was encroaching the water meter and replacing it with a tree of the same variety that was seven feet away from the water meter with a root barrier.

The Committee was not in favor of taking out all of the trees due to the impact to the neighborhood.

Chair Stephenson moved to approve removal of the one tree by the water meter and to have it replaced with another same species tree with a root barrier and to grind the sidewalk areas down to normal grade. The motion was seconded by Committee Member Gunter and passed 3-0.

D. L 12-18 – Landscape Plan

Associate Planner Darnell reviewed the application for a landscape plan for the renovation of an existing single family home into a school building for the McMinnville Montessori School on SE Brooks Street. The applicant was not proposing any changes to the backyard and the trees on the west property line would remain. The applicant did propose to clean up and maintain the existing vegetation in the front yard and to install some new shrubs to update the planter area. The driveway would also be extended to allow for the required parking and a pedestrian walkway would be required. A condition was included to require all new landscape planters and lawn areas to be irrigated.

Committee Member Gunter moved to approve L 12-18. The motion was seconded by Committee Member Caughran and passed 3-0.

5. Discussion Items

None

6. Old/New Business

None

7. Committee/Commissioner Comments

None

8. Staff Comments

None

9. Adjournment

Chair Stephenson adjourned the meeting at 1:31 p.m.

DRAFT



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EXHIBIT 2 - MINUTES

June 11, 2018
Landscape Review Committee
Regular Meeting

12:00 pm
Community Development Center
McMinnville, Oregon

Members Present: Rose Marie Caughran, Sharon Gunter, Josh Kearns, Tim McDaniel and Rob Stephenson

Members Absent:

Staff Present: Chuck Darnell – Senior Planner

Guests Present: Scott Hill –Mayor, Kellie Menke – City Councilor, and Morgan Will

1. Call to Order

Chair Stephenson called the meeting to order at 12:00 p.m.

2. Citizen Comments

None

3. Approval of Minutes

None

4. Action/Docket Item (repeat if necessary)

A. L 1-18 – Street Tree and Landscape Plan

Senior Planner Darnell discussed the revised plans for the Baker Creek developments. The plans had been reviewed last month, and the Committee sent them back to the applicant for revisions. There had been concern regarding the conflict with utilities and the applicant had made changes to the plans so there were no longer conflicts. For Baker Creek West, it resulted in a loss of 26 trees from the previous plan. There would be 150 trees in the street tree planting strips and 28 trees in the open space tracts. All of the trees in the open space were moved outside of the public utility easement area. Staff identified some areas where more trees could be located and a condition was included to add those trees. The applicant did not propose a change in the tree species for Baker Creek West, so it would remain as a Red Sunset Maple. There was still the condition to require the street tree planting on Hill Road as directed by the City and to be

consistent with what was being installed in the public street improvement project on Hill Road. Staff was still working with the applicant on the fencing for the subdivision boundary as well.

For Baker Creek East, the Committee had been concerned about the street tree species based on the spacing. The applicant had previously proposed using Hornbeam and was now proposing to use London Planetree. There was a reduction in the number of trees due to the conflicts with utilities. Staff thought another tree could be added back and there was a condition for that. There was also a previous concern regarding the density of the plantings in the open space tracts, so the number of trees in those areas had been increased. He discussed that staff had looked into the London Planetree species and found conflicting information, but it was a conditionally permitted tree due to the aggressive roots and were potentially messy. Staff asked for direction on whether or not this would be a good fit as a street tree in this subdivision given the size of the planting strip. He suggested planting this tree in the open space tracts and planting Katsura, which was proposed in the plans in the open space tracts, in the planting strips instead.

The Committee agreed the Planetree could be a problem near the houses and there was consensus to switch the tree species as suggested.

Senior Planner Darnell then reviewed the conditions of approval as proposed in the staff report and decision document.

Chair Stephenson thought a condition should be added that the plant material would be number one grade and that the trees would be staked.

Senior Planner Darnell said there was a planting detail that required the trees to be staked. The plant material grade standard was not in the code, so it could not be added as a condition of approval, but he said that plant material grade could potentially be added to the planting detail or code at a later time.

Committee Member Gunter moved to approve L 1-18 with conditions. The motion was seconded by Committee Member Caughran and passed 5-0.

B. L 9-18 – Landscape Plan

Senior Planner Darnell reviewed the landscape plan for a new multi-family development on NE Evans Street.

Committee Member Kearns created this plan and discussed his suggestion for a six foot high black chain link fence with privacy slats. The tree spacing was difficult because of the building and access locations. He wanted light pollution coverage and everywhere headlights could be pointed there were hedges and trees to block them. He had tried to space the trees in a way that would work for future maintenance and coverage.

Senior Planner Darnell said there was a condition of approval from the zone change that applies to the property that the applicant would provide a mix of vertical and horizontal vegetation and fencing and/or berms to provide screening and buffering from the adjacent single family uses to the north and south. He thought the applicant had met this condition with the mix of trees and understory shrubs. He stated that there was a suggested condition of approval that would add a few more trees to the plan.

Committee Member Kearns was concerned about how narrow it was and adding the trees might encroach on the future building or existing fences and large arborvitaes. It would also make it

difficult to repaint the building in the future. There would be no playground, but there would be open space and a dog park.

There was discussion regarding the parking for the development, drive aisle width, and possible congestion. There was further discussion regarding screening for the single family uses. Committee Member McDaniel thought the tree coverage was sufficient.

There was further discussion regarding the elements of the plan and how the plan met the code.

Committee Member Gunter moved to approve L 9-18, without any condition to add additional trees. The motion was seconded by Committee Member McDaniel and passed 4-0-1 with Committee Member Kearns abstaining.

C. L 13-18 – Landscape Plan

Senior Planner Darnell presented the landscape plan for the renovation of a single family home into a commercial space on NE Johnson Street. The house would be maintained in its existing form and character. The proposed use was for a salon and possible office space. The applicant would also keep the existing lawn and trees around the house. They would be adding low shrubbery around the parking area to screen the parking as required by the NE Gateway Overlay District.

Chair Stephenson said the shrubbery they chose was Black Bamboo, which would spread everywhere.

Senior Planner Darnell clarified that the plan stated that the bamboo would be in a metal surround, but that the committee could verify that through an added condition.

The Committee thought it should be a galvanized metal surround.

Senior Planner Darnell stated there would be Hebe evergreen shrubs along the street for screening, although they were a short shrub and would not be site obscuring. The two existing Sweetgum trees would be preserved.

There was discussion regarding using a different shrub other than Hebe, which did not do well in the local area.

There was consensus to send the application back to the applicant to choose a different shrub other than Hebe and to provide better containment of the bamboo or pick a different species.

Committee Member Gunter moved to continue L 13-18. The motion was seconded by Committee Member Caughran and passed 5-0.

5. Discussion Items

A. L 27-17 –Revision to Approved Landscape Plan

Senior Planner Darnell stated this landscape plan for Solid Form Fabrication on NE Rivergate Street was reviewed last year by the Committee. The construction was done and they had moved into the building. The landscaping had been installed in most of the locations, however the applicant was now requesting that the north portion of the site behind the building not be

landscaped to allow for future potential expansion of the building and due to the adjacent grade of the surrounding property.

Committee Member Kearns explained that the applicant owned the lots behind this property and he would like to develop those lots with more buildings in the future. For now the applicant would like to put in field grass to mow and maintain the lots. The applicant also planned to put a gate across this area making it a non-accessible street and a chain link fence around the properties. Senior Planner Darnell said the applicant was over the minimum area for landscaping even without this area. This business was growing quickly and had the potential to need more space. If the building was expanded, it would require landscaping as well.

Committee Member Caughran moved to approve the request to not require the landscaping for the north portion of the site behind the building. The motion was seconded by Committee Member Gunter and passed 4-0-1 with Committee Member Kearns abstaining.

6. Old/New Business

None

7. Committee/Commissioner Comments

Committee Member Caughran discussed an area on West Second that was not wide enough to put in replacement trees as proposed by the Committee. She did not think the trees should be planted there. Senior Planner Darnell would look into it.

8. Staff Comments

None

9. Adjournment

Chair Stephenson adjourned the meeting at 1:02 p.m.

EXHIBIT 3 - STAFF REPORT

DATE: October 17, 2018
TO: McMinnville Landscape Review Committee
FROM: Jamie Fleckenstein, Associate Planner
SUBJECT: Agenda Item 4A: L 13-18

Report in Brief:

An application for a landscape plan for the renovation of an existing single family home into commercial space (L 13-18) to be reviewed by the Landscape Review Committee.

Background:

The applicant, John Mead on behalf of Henry Clay Holding Company, submitted a revised landscape plan for the renovation of an existing single family home into commercial space. The subject site is located at 435 NE Johnson Street, and is more specifically described as Tax Lot 1600, Section 21BD, T. 4 S., R. 4 W., W.M. The subject site is located within the Northeast Gateway Planned Development Overlay district (Ordinance No. 4971). The property and building in question is listed on the McMinnville Historic Resources Inventory as a Contributory historic resource (Resource Number C804). The building, which was constructed as a single family home, is estimated to have been constructed in 1912.

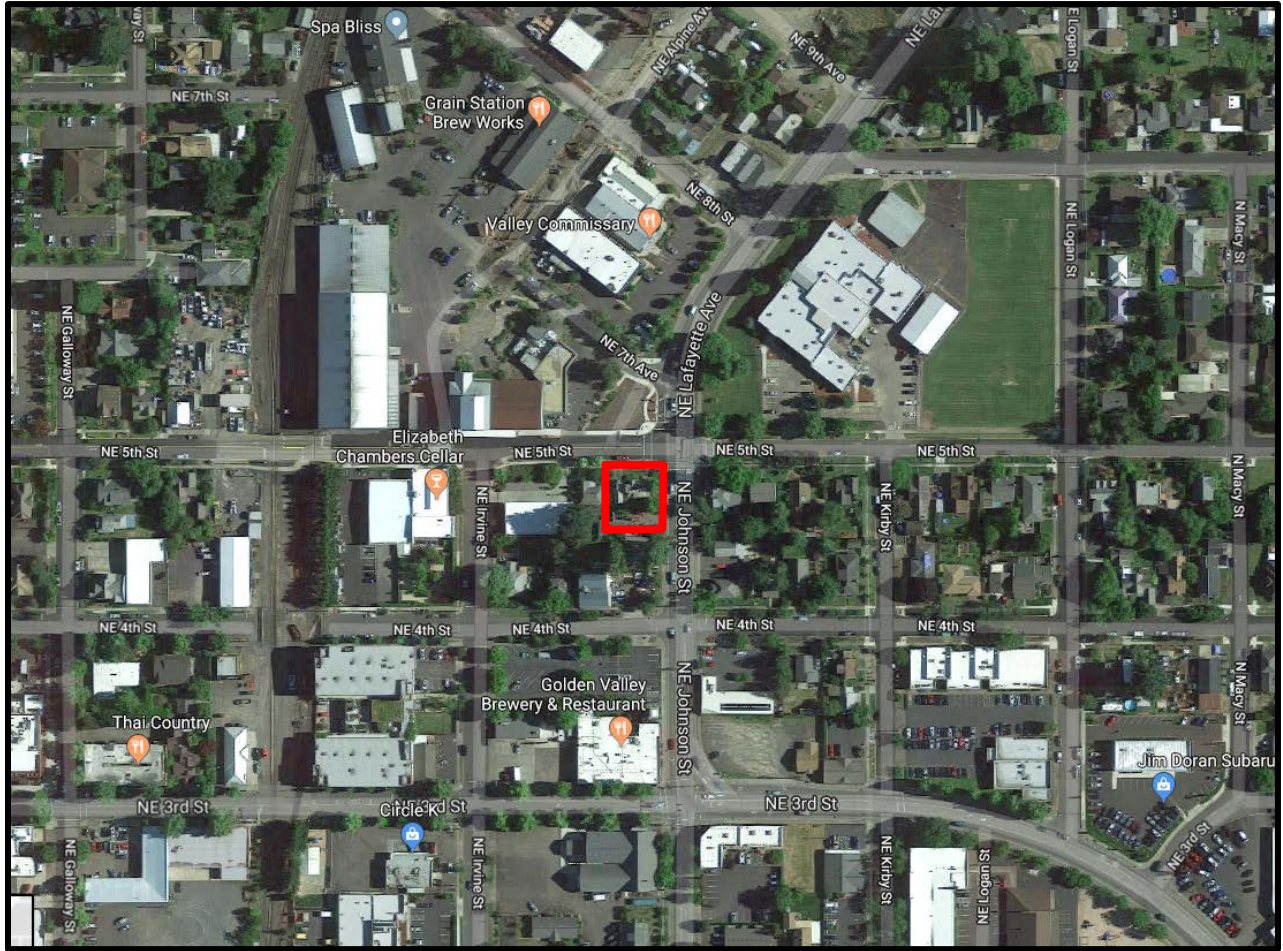
The Landscape Review Committee reviewed the original application and plans at their June 20, 2018 regular meeting. At that meeting the Committee decided to continue the application to allow the applicant to make revisions to the plan to address bamboo root containment and other plant material selection around the parking lot.

Discussion:

The overall development plan for the site includes the repair and replacement of façade materials, window replacement, and redesign of the existing parking lot. The existing building will be basically maintained in its existing and historic form and character. The applicant had also applied for Northeast Gateway Planned Development Overlay district design review, and the preservation of the existing historic resource was how they proposed to meet the required Northeast Gateway development standards.

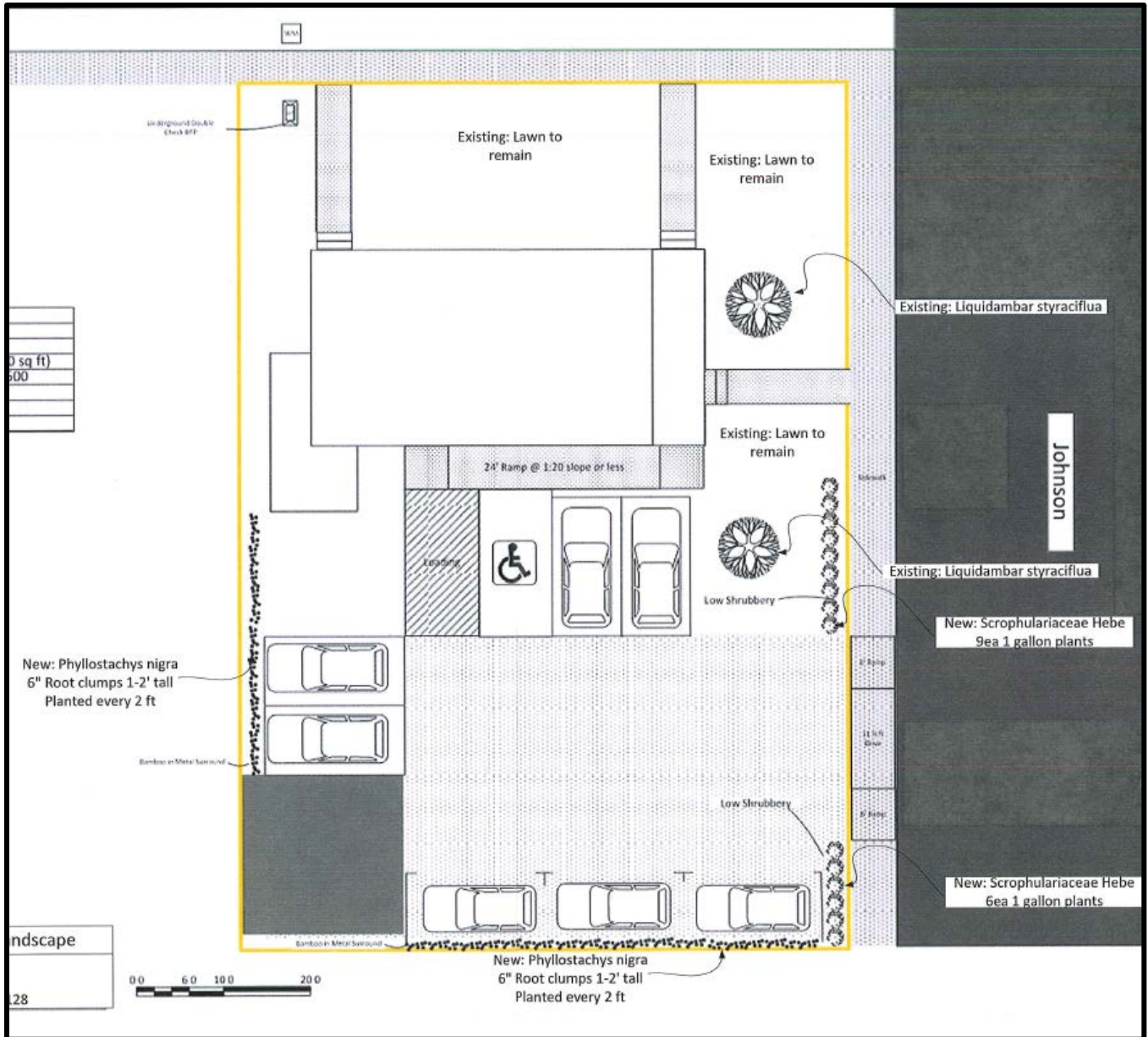
The current location of the subject site is identified below:

SITE REFERENCE MAP



The landscaping that was originally proposed can be seen below:

ORIGINAL LANDSCAPE PLAN



The revised landscape plan now proposed can be seen below:

5th Street

Main Floor: 1,028 sqft
Second: 569 sqft
Total Office: 1597 sqft
Garage: 322 sqft (Lot Size: 7,000 sq ft)
T:055 R: 04W S21 Parcel: R4421B001600
Wood frame construction

Existing: Lawn to remain

Existing: Lawn to remain

Existing: Liquidambar styraciflua

Existing: Lawn to remain

Existing: Liquidambar styraciflua

Taxus cuspidata
Japanese yew
1 gallon pots as shown

Taxus cuspidata
Japanese yew
1 gallon pots as shown

New: Phyllostachys nigra
6" Root clumps 1-2' tall
Planted every 2 ft

30" Deep HDPE (high density polyethylene) plastic sheet all four sides

Johnson

Paved Drive

6/6/2018 Landscape

J. Calhoun
435 NE Johnson
McMinnville OR 97128

0.0 6.0 10.0 20.0

CELLAR RIDGE CONSTRUCTION

A5

1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

On other areas of the site, the applicant is proposing to maintain the existing open space and lawn areas. Also, there are two existing trees on the eastern portion of the site between the existing building and the public sidewalk on Johnson Street. These two trees are identified on the landscape plan as American Sweetgum (*Liquidambar styraciflua*) trees.

Overall, the proposed landscape plan is compatible with the proposed project and the abutting properties and uses.

2. Screening the proposed use by sight-obscurating, evergreen plantings, shade trees, fences, or combinations of plantings and screens.

Screening of the parking area proposed to be updated is being achieved through the installation of continuous rows of low-growing shrubs along the perimeters of the newly paved parking areas. This type of landscaping is required by the Northeast Gateway Planned Development Overlay district development standards, which will be described in more detail below.

On the west and south sides of the updated parking areas, the applicant is proposing to install Black Bamboo (*Phyllostachys nigra*) in continuous rows within a HDPE (high density polyethylene) plastic root barrier 30 inches tall on all four sides. An example of the HDPE root barrier proposed for this site to prevent the spread of the bamboo can be seen below:



This plant can grow to be taller, up to 20 to 30 feet in height, and will provide for vegetative screening between the new parking areas that are immediately adjacent to neighboring properties.

3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.

The applicant is proposing to maintain the existing open space and lawn areas. Also, there are two existing trees on the eastern portion of the site between the existing building and the public sidewalk on Johnson Street. These two trees are identified on the landscape plan as American Sweetgum (*Liquidambar styraciflua*) trees. A photo of the existing trees that will be retained can be seen below:



4. The development and use of islands and plantings therein to break up parking areas.

The applicant is not proposing any planting islands within the parking areas. The parking areas proposed are relatively small, with groups of only two or three parking spaces in three different locations around the driving aisle. Therefore, there is not an overly large area of parking spaces that need to be broken up with planting islands. The perimeter plantings being proposed along the updated parking areas will provide for buffering of the parking areas from the public right-of-way and sidewalk along Johnson Street, which will break up the parking areas from those public spaces.

5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.

There are no street trees proposed for the subject site. The Johnson Street corridor has curbside sidewalks throughout the corridor and no planting strip. Section 17.58.080 of the McMinnville Municipal Code only requires street tree planting on new commercial development sites when the adjacent public right-of-way has a designated curb-side planting strip. While street trees are not required, the applicant is proposing to maintain two American Sweetgum (*Liquidambar styraciflua*) trees along the eastern boundary of the subject site. These trees are located only about 8 feet from the east property line, so will still create the effect of street trees close to the sidewalk on Johnson Street.

6. Suitable watering facilities or irrigation systems must be included in or near all planted areas.

The landscape plan does not include any notes about the installation of irrigation in the new planting areas. Therefore, a condition of approval is included to require that some form of suitable watering facility be included in the new planting areas.

As stated above, the subject site is located within the Northeast Gateway Planned Development Overlay district. Ordinance No. 4971 includes additional development standards that must be achieved on sites within the Northeast Gateway district. Specifically, Section 10 of Ordinance No. 4971 regulates landscaping more specifically than the typical landscaping requirements in Chapter 17.57 of the McMinnville Zoning Ordinance. The standards in Section 10 of Ordinance No. 4971 are as follows:

- A. Landscaping shall be provided between the public street right-of-way and the front building line, exclusive of pedestrian walk-ways, patios, plazas, and similar facilities. Such landscaping shall be designed to provide interest to pedestrians and shall be maintained at a height no more than three (3) feet so that it is not site obscuring.

The applicant is proposing to maintain the existing open lawn area and existing trees on the site between the front building line and the 5th Street and Johnson Street right-of-ways. Where new landscaping is proposed, it will be in continuous rows of shrubs along the perimeter of the updated parking areas. The shrubs along the Johnson Street right-of-way are proposed to be Japanese Yew (*Taxus cuspidata*). *Taxus cuspidata* is an evergreen tree/shrub that can grow up to 65 feet in height. However, there are several named dwarf varieties that could easily maintained at a three (3) foot height, so as not to be site obscuring. Staff recommends a condition of approval that *Taxus cuspidata* 'Nana' (Dwarf Japanese Yew) be substituted for the proposed *Taxus cuspidata*.

- B. Off-street parking located behind the building but visible from the public right-of-way shall be screened through the provision of a continuous row of shrubs, or a fence or seating wall, not less than three feet and no more than four feet high.

The updated parking areas on the south side of the site will be screened with a low hedge, as indicated on the landscape plan. A condition of approval is suggested to replace the proposed *Taxus cuspidata* with *Taxus cuspidata* 'Nana' (Dwarf Japanese Yew), which can grow up to three feet in height and provide for some minimal screening of the parking areas.

- C. Off-street parking areas with 10 (ten) or more parking spaces shall have, at a minimum, internal landscaping designed to visually break up a paved parking area as follows:
 1. Landscaped islands and peninsulas shall be evenly distributed throughout all parking areas and separated no more than 60 feet from another. Such islands shall be provided with raised curbs, be a minimum of five feet in width, and shall each contain at least one deciduous tree. To achieve the maximum canopy coverage, all trees shall be non-columnar.

There are no off-street parking areas with more than three spaces on the site. Therefore, no internal landscaping islands are required.

Fiscal Impact:

None.

Committee Options:

- 1) **APPROVE** the application, per the decision document provided which includes the findings of fact and conditions of approval.
- 2) **APPROVE** the application with additional conditions of approval, providing findings of fact for the inclusion of additional conditions.
- 3) **CONTINUE** the application, requesting the applicant to submit more information or details for review.
- 4) **DENY** the application, providing findings of fact for the denial in the motion to deny.

Recommendation/Suggested Motion:

Based on the findings described above, staff is recommending that the street tree plan be approved with the following conditions:

1. That the applicant shall install landscaping as shown on the landscape plan dated June 6, 2018.
2. That *Taxus cuspidata* 'Nana' (Dwarf Japanese Yew) be substituted for the proposed *Taxus cuspidata* (Japanese Yew).
3. That suitable watering facilities shall be provided for the new planter areas on the site.
4. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

Suggested Motion:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE LANDSCAPE REVIEW COMMITTEE APPROVE L 13-18 WITH THE CONDITIONS OF APPROVAL AS RECOMMENDED BY STAFF.

JF:sjs



**CITY OF MCMINNVILLE
PLANNING DEPARTMENT**
231 NE FIFTH STREET
MCMINNVILLE, OR 97128

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DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT, AND CONCLUSIONARY FINDINGS OF THE MCMINNVILLE LANDSCAPE REVIEW COMMITTEE FOR APPROVAL OF LANDSCAPE PLAN FOR THE RENOVATION OF A SINGLE FAMILY HOME INTO COMMERCIAL SPACE AT 435 NE JOHNSON STREET

DOCKET: L 13-18

REQUEST: The applicant requested the approval of a landscape plan for renovation of an existing single family home into commercial space.

LOCATION: The property in question is located at 435 NE Johnson Street, and is more specifically described as Tax Lot 1600, Section 21BD, T. 4 S., R. 4 W., W.M.

ZONING: The subject site is designated as Commercial on the McMinnville Comprehensive Plan Map, is zoned C-3 (General Commercial), and is also located in Zone 1 of the Northeast Gateway Planned Development Overlay District.

APPLICANT: John Mead, on behalf of Henry Clay Holding Company

STAFF: Jamie Fleckenstein, PLA, Associate Planner

DATE DEEMED COMPLETE: May 24, 2018

HEARINGS BODY: McMinnville Landscape Review Committee

DATE & TIME: October 17, 2018. Meeting was held at the Community Development Center, 231 NE 5th Street, McMinnville, OR 97128

PROCEDURE: Landscape plans are required to be reviewed and approved by the Landscape Review Committee as described in Section 17.57.050 (Plans-Submittal and review-Approval-Time limit for completion) of the McMinnville Zoning Ordinance.

CRITERIA: The applicable criteria are specified in Section 17.57.070 (Area Determination – Planning factors) of the McMinnville Zoning Ordinance, McMinnville City Code.

APPEAL: The applicant may appeal a disapproval within 15 days of the date the decision as specified in Section 17.57.100 of the McMinnville Zoning Ordinance.

COMMENTS: This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments were received by the Planning Department and have been

incorporated into the conditions of approval. No public notice of the application was required by the McMinnville Zoning Ordinance. No additional comments were received by the Planning Department.

DECISION

Based on the findings and conclusions, the Landscape Review Committee recommends **APPROVAL** of the landscape plan (L 13-18) **subject to the conditions of approval provided in this document.**

////////////////////////////////////
DECISION: APPROVAL WITH CONDITIONS
////////////////////////////////////

Planning Staff: _____
Jamie Fleckenstein, PLA, Associate Planner

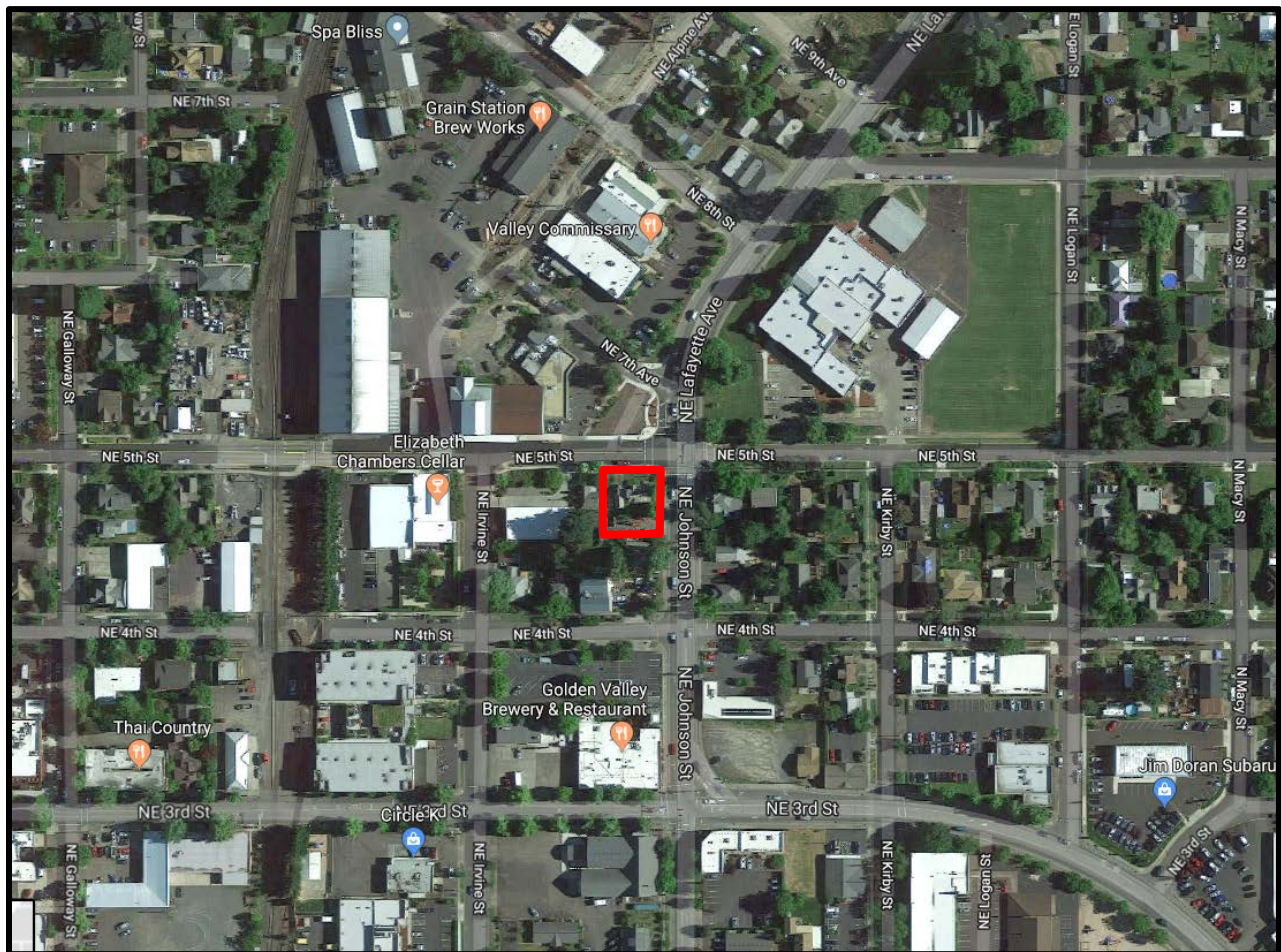
Date: _____

Planning Department: _____
Heather Richards, Planning Director

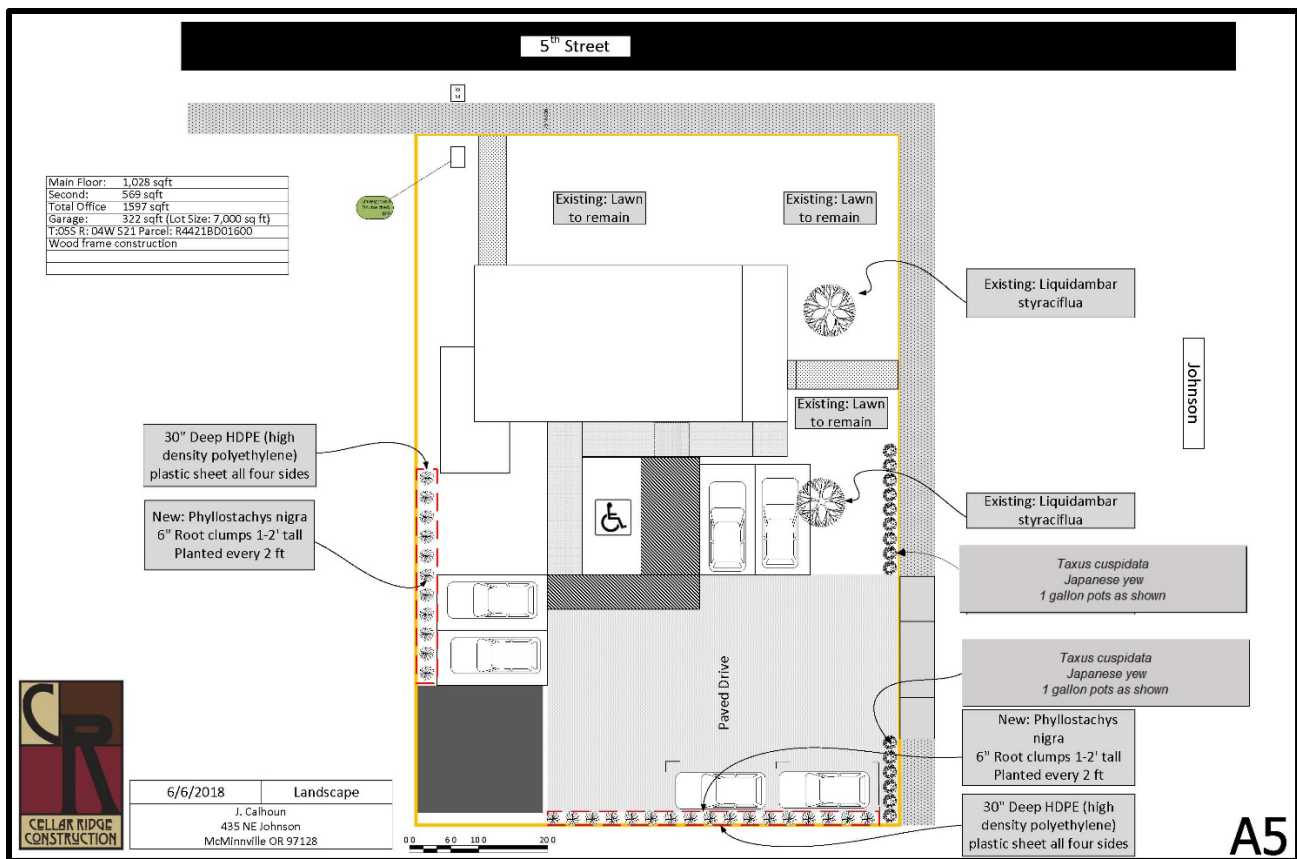
Date: October 17, 2018

The applicant, John Mead on behalf of Henry Clay Holding Company, requested the approval of a landscape plan for the renovation of an existing single family home into commercial space. Landscape plans are required to be reviewed and approved by the Landscape Review Committee as described in Section 17.57.050 (Plans-Submittal and review-Approval-Time limit for completion) of the McMinnville Zoning Ordinance.

A map of the subject site is provided below:



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CONDITIONS OF APPROVAL

L 13-18 is **approved** subject to the following conditions:

1. That the applicant shall install landscaping as shown on the landscape plan dated June 6, 2018.
2. That *Taxus cuspidata* 'Nana' (Dwarf Japanese Yew) be substituted for the proposed *Taxus cuspidata* (Japanese Yew).
3. That suitable watering facilities shall be provided for the new planter areas on the site.
4. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

ATTACHMENTS

1. Application for Landscape Plan Review (on file with the Planning Department)

COMMENTS

Agency Comments

This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. The following comments had been received:

- McMinnville Public Works:

1. The proposed plan does not include any new plantings along the 5th Street frontage. Given the narrow park strip and the overhead conflicts, PW concurs with this approach.
2. The proposed plans include low shrubbery along the Johnson Street right of way. Given the ROW constraints, PW concurs with that approach as well. The applicant should be reminded that sidewalks are the responsibility of the adjoining property owner, and if the proposed shrubbery's rooting habits disrupt the sidewalk, repairs would be at the property owners expense.

- McMinnville Water and Light:

MW&L has no comments on this application.

Public Comments

No public notice of the application was provided by the City of McMinnville, as Landscape Plan Review applications are reviewed by the process described in Section 17.57.050 (Plans-Submittal and review-Approval-Time Limit for completion) of the McMinnville Zoning Ordinance, which does not require any type of public notification. No public comments were received prior to the Planning Director's decision.

FINDINGS OF FACT

1. John Mead, on behalf of Henry Clay Holding Company, submitted a landscape plan review application to install landscaping on the site of an existing single family home that is being renovated into commercial space at 435 NE Johnson Street. The property is more specifically described as Tax Lot 1600, Section 21BD, T. 4 S., R. 4 W., W.M.
2. The site is currently designated as Commercial on the McMinnville Comprehensive Plan Map, is zoned C-3 (General Commercial), and is also located in Zone 1 of the Northeast Gateway Planned Development Overlay District.
3. This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments were received by the Planning Department and have been incorporated into the conditions of approval.
4. A public meeting was held by the Landscape Review Committee on October 17, 2018 to review the application and proposed landscape plan. No comments in opposition were provided by the public prior to the public meeting.

CONCLUSIONARY FINDINGS:

McMinnville's Comprehensive Plan:

The following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

GOAL X 1: TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF McMINNVILLE.

Policy 188.00: The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.

Finding: Goal X 1 and Policy 188.00 are satisfied in that McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the McMinnville Landscape Review Committee review of the request and recommendation at an advertised public hearing. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

McMinnville's City Code:

The following Sections of the McMinnville Zoning Ordinance (Ord. No. 3380) are applicable to the request:

17.57.010 Purpose and intent. The purpose and intent of this Chapter is to encourage and, where appropriate, require the use of landscape elements, particularly plant materials, in proposed developments in an organized and harmonious manner that will enhance, protect and promote the economic, ecological and aesthetic environment of McMinnville. Landscaping is considered by McMinnville to be an integral part of a complete comprehensive development plan. [...]

Finding: This criteria has been met. The landscape plan as proposed would enhance the appearance of the city and will benefit the economic, ecological, and aesthetic environment of the city. The landscape plan as proposed meets the intent and purpose of the Landscaping chapter, as described in the findings for the specific landscape plan review criteria below.

17.57.030 Zones Where Required. Landscaping shall be required in the following zones except as otherwise noted:

D. C-3 (General Commercial zone)

Finding: This criteria has been met. The subject site is zoned C-3 (General Commercial), and landscaping is being proposed as required.

17.57.050 Plans—Submittal and review—Approval—Time limit for completion.

C. The landscaping plan shall be approved if it is found to be compatible with the purpose, intent, and requirements of this chapter. Approval of the landscaping plan shall be indicated upon the plot plans. Any modifications shall be specified on the plans and agreed to in writing by the applicant prior to the issuance of a building permit. One copy of said approved plan shall be retained by the Planning Department and included within the permanent file;

Finding: This criteria has been met. The landscape plan as proposed meets the intent and purpose of the Landscaping chapter, as described in the findings for the specific landscape plan review criteria below. Modifications as required by the conditions of approval will be discussed with the applicant and agreed to prior to the issuance of a building permit.

17.57.070 Area Determination—Planning factors.

B. The following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:

1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

Finding: This criteria has been met. The landscape plan as proposed includes new landscaping only around the perimeter of the parking area on the south side of the site. The existing parking area is gravel and unimproved, and is proposed to be paved and updated as part of the redevelopment of the site. The applicant is proposing to install continuous rows of low-growing shrubs along the perimeters of the newly paved parking areas. This type of landscaping is required by the Northeast Gateway Planned Development Overlay district development standards, which will be described in more detail below.

On other areas of the site, the applicant is proposing to maintain the existing open space and lawn areas. Also, there are two existing trees on the eastern portion of the site between the existing building and the public sidewalk on Johnson Street. These two trees are identified on the landscape plan as American Sweetgum (*Liquidambar styraciflua*) trees.

2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.

Finding: This criteria has been met. Screening of the parking area proposed to be updated is being achieved through the installation of continuous rows of low-growing shrubs along the perimeters of the newly paved parking areas. This type of landscaping is required by the Northeast Gateway Planned Development Overlay district development standards, which will be described in more detail below.

On the west and south sides of the updated parking areas, the applicant is proposing to install Black Bamboo (*Phyllostachys nigra*) in continuous rows within a HDPE (high density polyethylene) plastic root barrier 30 inches tall on all four sides. An example of the HDPE root barrier proposed for this site to prevent the spread of the bamboo can be seen below:



This plant can grow to be taller, up to 20 to 30 feet in height, and will provide for vegetative screening between the new parking areas that are immediately adjacent to neighboring properties.

3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.

Finding: This criteria has been met. The applicant is proposing to maintain the existing open space and lawn areas. Also, there are two existing trees on the eastern portion of the site between the existing building and the public sidewalk on Johnson Street. These two trees are identified on the landscape plan as American Sweetgum (*Liquidambar styraciflua*) trees. A photo of the existing trees that will be retained can be seen below:



4. The development and use of islands and plantings therein to break up parking areas.

Finding: This criteria has been met. The applicant is not proposing any planting islands within the parking areas. The parking areas proposed are relatively small, with groups of only two or three parking spaces in three different locations around the driving aisle. Therefore, there is not an overly large area of parking spaces that need to be broken up with planting islands. The perimeter plantings being proposed along the updated parking areas will provide for buffering of the parking areas from the public right-of-way and sidewalk along Johnson Street, which will break up the parking areas from those public spaces.

5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.

Finding: This criteria has been met. There are no street trees proposed for the subject site. The Johnson Street corridor has curbside sidewalks throughout the corridor and no planting strip. Section 17.58.080 of the McMinnville Municipal Code only requires street tree planting on new commercial development sites when the adjacent public right-of-way has a designated curb-side planting strip. While street trees are not required, the applicant is proposing to maintain two American Sweetgum (*Liquidambar styraciflua*) trees along the eastern boundary of the subject site. These trees are located only about 8 feet from the east property line, so will still create the effect of street trees close to the sidewalk on Johnson Street.

6. Suitable watering facilities or irrigation systems must be included in or near all planted areas;

Finding: This criteria has been met by condition of approval included to ensure that some form of suitable watering facility be included in the new planting areas. The landscape plan does not include any notes about the installation of irrigation in the new planting areas. This is reflected in Condition of Approval #4 in this decision document.

- C. All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement. [...]

Finding: This criteria has been met by a condition of approval included to ensure that all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement. This is reflected in Condition of Approval #4 in this decision document.

Ordinance 4971 – Northeast Gateway Planned Development Overlay District

The following Sections of Ordinance 4971 are applicable to the request:

Section 10 – Landscaping. Landscaping plans are subject to the review and design standards outlined in Chapter 17.57 (Landscaping) of the Zoning Ordinance and as noted below:

All Zones:

- A. Landscaping shall be provided between the public street right-of-way and the front building line, exclusive of pedestrian walk-ways, patios, plazas, and similar facilities. Such landscaping shall be designed to provide interest to pedestrians and shall be maintained at a height no more than three (3) feet so that it is not site obscuring.

Finding: This criteria has been met by a condition of approval included to ensure that the proposed landscaping is such that can be easily maintained at a height of three (3) feet or less. This is reflected in Condition of Approval #2 in this decision document. The applicant is proposing to maintain the existing open lawn area and existing trees on the site between the front building line and the 5th Street and Johnson Street right-of-ways. Where new landscaping is proposed, it will be in continuous rows of shrubs along the perimeter of the updated parking areas. The shrubs along the Johnson Street right-of-way are proposed to be Japanese Yew (*Taxus cuspidata*). *Taxus cuspidata* is an evergreen tree/shrub that can grow up to 65 feet in height. However, there are several named dwarf varieties that could easily maintained at a three (3) foot height, so as not to be site obscuring. Staff recommends a condition of approval that *Taxus cuspidata* 'Nana' (Dwarf Japanese Yew) be substituted for the proposed *Taxus cuspidata* (Japanese Yew).

- B. Off-street parking located behind the building but visible from the public right-of-way shall be screened through the provision of a continuous row of shrubs, or a fence or seating wall, not less than three feet and no more than four feet high.

Finding: This criteria has been met by a condition of approval included to ensure that the proposed landscaping is such that can be easily maintained at a height of three (3) feet. This is reflected in Condition of Approval #2 in this decision document. The updated parking areas on the south side of the site will be screened with a low hedge, as indicated on the landscape plan. A condition of approval is included to replace the proposed *Taxus cuspidata* (Japanese Yew) with *Taxus cuspidata* 'Nana' (Dwarf Japanese Yew), which can grow up to three feet in height and provide for some minimal screening of the parking areas.

- C. Off-street parking areas with 10 (ten) or more parking spaces shall have, at a minimum, internal landscaping designed to visually break up a paved parking area as follows:
 - 1. Landscaped islands and peninsulas shall be evenly distributed throughout all parking areas and separated no more than 60 feet from another. Such islands shall be provided with raised curbs, be a minimum of five feet in width, and shall each contain at least one deciduous tree. To achieve the maximum canopy coverage, all trees shall be non-columnar. [...]

Finding: This criteria has been met. There are no off-street parking areas with more than three spaces on the site. Therefore, no internal landscaping islands are required.

JF:sjs

EXHIBIT 4 - STAFF REPORT

DATE: October 17, 2018
TO: McMinnville Landscape Review Committee
FROM: Jamie Fleckenstein, Associate Planner
SUBJECT: Agenda Item 4B: L 36-18

Report in Brief:

An application for a Landscape Plan Review of a landscape plan for new apartment complex (L 36-18) to be reviewed by the Landscape Review Committee.

Background:

The applicant, Morgan Will on behalf of Stafford Land Company, LLC, submitted a landscape plan for the proposed Baker Creek Apartments. The subject site is located at the southeast corner of NW Baker Creek Road and NW Hill Road, and is more specifically described as Parcel 1, Partition 02-18, or the portion of Tax Lot 203, Section 18, T. 4 S., R. 4 W., W.M. zoned C-3 PD.

Discussion:

The applicant is proposing six (6) new apartment buildings with a total of 70 one and two bedroom units on a 3.337 acre commercially zoned lot in northwest McMinnville. The buildings are located around the perimeter of the lot and an interior parking lot is proposed with 115 surface parking stalls and two (2) trash/recycling enclosures. The site design also includes a recreation/manager's office building, a maintenance/cart storage building, a recreation/play area, and a mail box area.

The subject site is in the northwest corner of the Baker Creek West development, and upon build-out, will be bordered to the east and south by single family residences. Across NW Baker Creek Road to the north is undeveloped farm land that is the site of a potential Baker Creek North development. Across NW Hill Road to the west is West Wind, a single family residential development, and Draper Farm, a family farm growing and selling produce. NW Hill Road adjacent to the site is the McMinnville city limit.

The subject site is previously undeveloped farm land. It is a relatively flat lot that slopes gradually to the southeast corner, where a vegetated bio-swale is proposed to collect stormwater from the site.

The approximate location of the subject site can be seen below, outlined in red:

SITE REFERENCE MAP



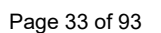
The subject site is zoned C-3 PD (General Commercial Planned Development). Condition of Approval #2 of land use decision document AP 1-17 applies specifically to the subject site and reads:

2. That per the applicant's proposal, the 3.8 acres of land zoned C-3 PD shall be limited to a multi-family unit complex of no more than 70 dwelling units and any supportive services deemed appropriate to serve the multi-family complex. Site plans and building elevations for the proposed multi-family units must be submitted to and approved by the Planning Director prior to the issuance of any building permits for said units. The multiple-family buildings shall be no more than 35 feet in height and must be nonlinear in design and parking lots must be broken up by landscaping. Prior to the release of building permits, a landscape plan for a minimum of 25 percent of the multiple-family site shall be provided to the Landscape Review Committee for review and approval. In addition, useable open space and a 20-foot wide easement containing a 10-foot wide paved pedestrian connection from Haun Drive to Baker Creek Road to be located within the east edge of this site shall be provided within the development, and streetside landscaping shall be emphasized.

The landscape plan as proposed exceeds the required 25 percent landscaping requirement. The applicant indicates the total landscaped area is 58,219 square feet, or 40.1 percent of the total lot area. The proposed landscape plan includes the required pedestrian connection and useable open space.

The overall landscape plan, plan enlargements, and plant lists can be seen below:

23rd STREET



BAKER CREEK APARTMENTS LANDSCAPE PLAN – PLANT LIST: APARTMENTS

PLANT PALETTE APARTMENTS

QTY.	SYM	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION	REMARKS
TREES						
31	T-1	Acer rubrum 'Armstrong'	Armstrong Red Maple	1 1/2" - 2" cal.	B & B	6' Standard
24	T-2	Acer rubrum 'Bowhall'	Bowhall Red Maple	1 1/2" - 2" cal.	B & B	6' Standard
5	T-3	Acer rubrum 'Autumn Blaze'	Autumn Blaze Maple	1 1/2" - 2" cal.	B & B	6' Standard
7	T-4	Cercis occidentalis	Western Redbud	1 1/2" - 2" cal.	B & B	6' Standard
14	T-5	Fagus sylvatica 'Dawyd Purple' Columnar	Columnar Dawyd Purple Leaf Beech	1 1/2" - 2" cal.	B & B	4' Standard
8	T-6	Pyrus celsiana 'Capita'	Capital Flowering Pear	1 1/2" - 2" cal.	B & B	6' Standard
SHRUBS						
39	S-1	Abelia grandiflora 'Ed Goucher'	Edward Goucher Abelia	2 gal.	cont.	Full
32	S-2	Berberis thunbergii 'Crimson Pygmy'	Crimson Pygmy Japanese Barberry	2 gal.	cont.	Full
46	S-3	Calamagrostis x acutiflora 'Avalanche'	Avalanche Feather Reed Grass	2 gal.	cont.	Full
44	S-4	Cornus stolonifera 'Kelsey'	Kelsey Dwarf Redwig Dogwood	2 gal.	cont.	Full
24	S-5	Cornus sericea Arctic Fire 'Farrow'	Arctic Fire Redwig Dogwood	2 gal.	cont.	Full
125	S-6	Daphne odora 'Marginalia'	Marginalia Daphne	2 gal.	cont.	Full
62	S-7	Euonymus alatus 'Compactus'	Burning Bush Winged Euonymus	2 gal.	cont.	Full
32	S-8	Euonymus fortunei Moonshadow	Moonshadow Euonymus	2 gal.	cont.	Full
110	S-9	Festuca glauca Elijah Blue	Elijah Blue Festuca Grass	1 gal.	cont.	Full
34	S-10	Ilex crenata 'sky pencil'	Sky Pencil Japanese Holly	3'-4' Tall	cont.	Full
40	S-11	Mahonia aquifolium 'Compacta'	Compact Oregon Grape	2 gal.	cont.	Full
79	S-12	Mahonia repens	Creeping Mahonia	1 gal.	cont.	Full
32	S-13	Ligustrum japonicum Texarum	Texas Wax-Leaf Privet	5 gal.	cont.	Full
54	S-14	Pennisetum alopecuroides Hameln	Dwarf Fountain Grass	2 gal.	cont.	Full
42	S-15	Pieris japonica 'Astrid' Compacta	Astrid Japanese Andromeda Compacta	5 gal.	cont.	Full
61	S-16	Rhododendron 'Yaku Princess'	Yaku Princess Rhododendron	24"-30"	w/buds	Full
10	S-17	Rhododendron 'Daphnoides'	Daphnoides Rhododendron	24"-30"	w/buds	Full
13	S-18	Rhododendron 'PJM'	PJM Rhododendron	24"-30"	w/buds	Full
32	S-19	Spiraea japonica 'Magic Carpet'	Magic Carpet Spirea	2 gal.	cont.	Full
28	S-20	Spiraea japonica 'Gold Flame'	Gold Flame Spirea	2 gal.	cont.	Full
53	S-21	Rosa 'Redko' Double Knockout Rose	Double Knockout Rose	2 gal.	cont.	Full
17	S-22	Viburnum tinus 'Spring Bouquet'	Launstinus 'Spring Bouquet'	5 gal.	cont.	Full

BAKER CREEK APARTMENTS LANDSCAPE PLAN – PLANT LIST: BIOSWALE

PLANT PALETTE VEGETATED BIO SWALE

QTY.	SYM	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION	REMARKS
Tree						
4	V-1	Acer circinatum (3 stem clump)	Vine Maple (3 stem clump)	5' - 8'	B & B	Full
ZONE 1						
BOTTOM & SIDE SLOPES						
EQUALS 1,387 Sq. Ft.						
Pro Time 449 Clean Water Services Native Wet Area Mix. See General Landscape Notes						
ZONE 2						
TOP/DRIER						
EQUALS 612 Sq. Ft.						
7	V-13	Symphoricarpos albus	Common Snowberry	1 gal.	Planted 4' o/c	Tri-Space
9	V-14	Rubus spectabilis	Salmonberry	1 gal.	Planted 4' o/c	Tri-Space
10	V-15	Spiraea douglasii	Douglas Spiraea	1 gal.	Planted 4' o/c	Tri-Space
10	V-16	Physocarpus capitatus	Pacific Nine Bark	1 gal.	Planted 4' o/c	Tri-Space

In reviewing a landscape plan, MMC Section 17.57.050(B) (Area Determination – Planning Factors) requires the Landscape Review Committee to consider the following factors:

1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

The proposed multi-family project includes the development of six (6) new apartment buildings with a total of 70 one and two bedroom units, an interior parking lot with 115 surface parking stalls, two (2) trash/recycling enclosures, a recreation/manager's office building, a maintenance/cart storage building, a recreation/play area, and a mail box area. A fence along the north and west property lines will consist of cultured stone pillars and a white vinyl two-rail fence between. Monument signs will be at the northwest and southwest property corners.

Landscaping is proposed around each new building, including the apartments, and the recreation and the maintenance buildings. Generally, the planting around each building is a combination of evergreen and deciduous shrubs and ornamental grasses, with varying heights, foliage textures and colors, and seasonal interest (blooms, fall color, etc...). Below is a table identifying the shrubs around each individual building:

Building	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
	<i>Abelia grandiflora</i> 'Ed Goucher'	<i>Berberis thunbergii</i> 'Crimson Pygmy'	<i>Calamagrostis x acutifolia</i> 'Avalanche'	<i>Cornus stolonifera</i> 'Kelsey'	<i>Cornus sericea</i> 'Arctic Fire'	<i>Daphne odora</i> 'Aureomarginata'	<i>Euonymus alatus</i> 'Compacta'	<i>Euonymus fortunei</i> 'Moonshadow'	<i>Festuca glauca</i> 'Elijah Blue'	<i>Ilex crenata</i> 'Sky Pencil'	<i>Mahonia aquifolium</i> 'Compacta'	<i>Mahonia repens</i>	<i>Ligustrum japonicum</i> 'Texanum'	<i>Pennisetum alopecuroides</i> 'Hameln'	<i>Pieris japonica</i> 'Astrid'	<i>Rhododendron</i> 'Yaku Princess'	<i>Rhododendron</i> 'Daphnoides'	<i>Rhododendron</i> 'PJM'	<i>Spiraea japonica</i> 'Magic Carpet'	<i>Spiraea japonica</i> 'Goldflame'	<i>Rosa</i> 'Double Knockout'	<i>Viburnum tinus</i> 'Spring Bouquet'
1																						
2																						
3																						
4																						
5																						
6																						
7																						

- S-1. *Abelia grandiflora* 'Ed Goucher'/Edward Goucher Abelia: Medium evergreen shrub growing to 5'x5' with pink summer flowers.
- S-2. *Berberis thunbergii* 'Crimson Pygmy'/Crimson Pygmy Japanese Barberry: Dwarf deciduous shrub growing to 2'x2' with deep crimson foliage.
- S-3. *Calamagrostis x acutifolia* 'Avalanche'/Avalanche Feather Reed Grass: Tall ornamental grass growing to 4'-6'x2' with stiff, upright form and showy plumes in summer.
- S-4. *Cornus stolonifera* 'Kelsey'/Kelsey Dwarf Redtwig Dogwood: Dwarf deciduous shrub growing to 2'x2' with red stems that are striking after foliage falls off.
- S-5. *Cornus sericea* 'Arctic Fire'/Arctic Fire Redtwig Dogwood: Medium deciduous shrub growing to 4'x4' with red stems that are striking after foliage falls off.
- S-6. *Daphne odora* 'Aureomarginata'/Variegated Winter Daphne: Medium evergreen shrub growing to 4'x4' with fragrant spring flowers.
- S-7. *Euonymus alatus* 'Compacta'/Dwarf Burning Bush: Large deciduous shrub growing to 8'x8' with brilliant red fall color.

- S-8. *Euonymus fortunei* 'Moonshadow'/Moonshadow Wintercreeper: Medium evergreen shrub growing to 3'x5' with green and yellow foliage.
- S-9. *Festuca glauca* 'Elijah Blue'/Elijah Blue Fescue: Small ornamental grass growing to 1'x1' with showy icy blue foliage.
- S-10. *Ilex crenata* 'Sky Pencil'/Sky Pencil Japanese Holly: Columnar evergreen shrub growing to 8'x3'.
- S-11. *Mahonia aquifolium* 'Compacta'/Compact Oregon Grape: Native medium evergreen shrub growing to 3'x3' with yellow spring flowers and seasonal foliage interest.
- S-12. *Mahonia repens*/Creeping Mahonia: Native small shrub growing to 2' and will spread as a groundcover with yellow spring flowers.
- S-13. *Ligustrum japonicum* 'Texanum'/Texas Wax-Leaf Privet: Large evergreen shrub growing to 10'x6' with fragrant white spring flowers. Often pruned into a hedge.
- S-14. *Pennisetum alopecuroides* 'Hameln'/Dwarf Fountain Grass: Small ornamental grass growing to 2'x2' with dramatic foliage and plumes.
- S-15. *Pieris japonica* 'Astrid'/Astrid Japanese Andromeda: Medium evergreen shrub growing to 4'x3' with white spring flowers. New foliage emerges red and turns green and white.
- S-16. *Rhododendron* 'Yaku Princess'/Yaku Princess Rhododendron: Medium evergreen shrub growing 5'x5' with showy pink spring blooms.
- S-17. *Rhododendron* 'Daphnoides'/Daphnoides Rhododendron: Large evergreen shrub growing 6'x6' with showy pink spring blooms.
- S-18. *Rhododendron* 'PJM'/PJM Rhododendron: Medium evergreen shrub growing 5'x5' with showy lavender spring blooms and dark green foliage turning mahogany in winter.
- S-19. *Spiraea japonica* 'Magic Carpet'/Magic Carpet Spirea: Small deciduous shrub growing to 2'x2' with pink spring flowers and foliage emerging red, maturing to bright yellow, and red in fall.
- S-20. *Spiraea japonica* 'Gold Flame'/Gold Flame Spirea: Medium deciduous shrub growing to 4'x4' with red spring flowers and foliage emerging bronze, maturing to yellow-green, and orange in fall.
- S-21. *Rosa* x 'Radtko'/Double Knockout Rose: Medium deciduous shrub growing to 4'x4' with showy red blooms from spring through fall. Resistant to diseases.

The landscaping around each of new buildings is consistent in style and character throughout the development, though the specific combinations and quantities of plants may vary between the individual buildings. The overall effect of the landscaping around the apartments buildings is that they will appear similar enough to feel cohesive, yet different enough to not be cookie cutter.

Between the planting beds adjacent to the buildings and the property line fencing is open lawn with a variety of trees, giving the property a park-like feel. The trees used throughout the open lawn spaces are described below:

- T-1. *Acer rubrum* 'Armstrong'/Armstrong Red Maple: Narrow, upright deciduous tree growing to 70'x15' with inconsistent yellow-orange fall color.
- T-2. *Acer rubrum* 'Bowhall'/Bowhall Red Maple: Very narrow, upright deciduous tree growing to 40'x15' with reddish-orange fall color.
- T-3. *Acer rubrum* 'Autumn Blaze'/Autumn Blaze Red Maple: Deciduous shade tree growing to 50'x40' with outstanding red fall color.
- T-4. *Cercis occidentalis*/Western Redbud: Deciduous understory tree growing to 15'x10' with showy purple spring blooms and excellent fall color.
- T-5. *Fagus sylvatica* 'Dawyck Purple'/Columnar Purple European Beech: Columnar deciduous tree growing to 50'x15' with dark purple foliage.
- T-6. *Pyrus calleryana* 'Capital'/Capital Flowering Pear: Columnar deciduous tree growing to 45'x15' with white spring blooms, colorful fall foliage, and ornamental fruit in the winter.

The columnar trees are generally spaced 20 to 25 feet apart from each other and 30 to 40 feet from the broader Autumn Blaze Red Maples. A street tree plan has been approved (L 1-18) indicating trees between the sidewalk and fence, however those trees are not shown on the proposed landscape plan. Some adjustment to the locations of trees interior to the property may be needed to accommodate the regular spacing of the approved street trees.

Near the northeast corner of the development, adjacent to Building 5, the recreation building, is a recreational play area that is contiguous to the adjacent recreational open space that is part of the single family residential subdivision. The recreational play area features open lawn space, 2 picnic tables, and four (4) trees, three (3) Autumn Blaze Red Maples and one (1) Bowhall Red Maple. The subdivision plans indicated a play structure is proposed for the adjacent open space, so an unstructured recreational space at this location is appropriate.

Interior to the buildings and play space is the parking lot and trash/recycling enclosures. The parking lot is broken up through the use of planting islands, and planting is proposed at the trash/recycling enclosures. Further discussion of the parking lot landscaping and islands is below, under Review Criteria #2 and #4. Further discussion of the landscaping around the trash enclosures is below, under Review Criteria #2.

Located in the southeast corner of the property, at the lowest elevation point, is a Vegetated Bioswale that is the collection point and initial treatment for stormwater from half of the parking lot. The bottom and side slopes (Zone 1) of the bioswale is to be seeded with ProTime 499 Clean Water Service Native Wet Area Mix. This mix contains:

- Slough Sedge - *Carex obnupta*
- Small Fruited Bulrush - *Scirpus microcarpus*
- Dense Sedge - *Carex densa*
- Creeping Spikerush - *Eleocharis palustris*
- Spreading Rush - *Juncus patens*

Zone 2 of the bioswale, the upper, drier edge, is to be planted with a variety of native trees and shrubs suitable for wet soil conditions associated with bioswales, which are described below:

- V-1. *Acer circinatum*/Vine Maple: Native deciduous tree growing to 25'x25'. Multiple stem clumps specified.
- V-13. *Symphoricarpos albus*/Snowberry: Medium native deciduous shrub growing to 6'x6' with white fruit that persists into winter.
- V-14. *Rubus spectabilis*/Salmonberry: Large native deciduous shrub growing to 8'x8' with red spring flowers and salmon colored fruit.
- V-15. *Spiraea douglasii*/Douglas Spirea: Medium native deciduous shrub growing to 6'x6' with pink flowers.
- V-16. *Physocarpus capitatus*/Pacific Ninebark: Large native deciduous shrub growing to 10' or more, width less, with white spring flowers.

The landscape plan shows that the side slopes of the bioswale are 3:1 and the swale is three (3) feet deep. The steep slopes and broad bottom of the element suggests that this will act more like a detention pond than a swale, collecting and regulating the discharge of water. The landscape plan does not indicate if fencing is proposed to prevent access into the drainage area. The landscape plan indicates that seeding of Zone 1 and Zone 2 shall occur between March 1 to April 15, or September 1 to October 15. There is no indication in the landscape plan or specifications if erosion control methods would be in place to allow the seed to establish in the rainy period following the seeding timeframes. Erosion of the side

slopes would wash the seed away, diminishing the effectiveness of the stormwater function and the aesthetics of the area which would be visible from the 23rd Street right-of-way. Staff recommends a condition of approval requiring erosion control method(s) for stabilizing the side slopes of the Vegetated Bioswale during the establishment period following seeding.

At the northwest and southwest corners of the property, monument signs are being proposed. There is no indication of the design of the monument signs or the walls/fences they are a part of. The landscape plan shows the area in front of each monument sign to be planted with annuals and perennials, but no further detail is provided. The monument sign planting is expected to change seasonally, and staff feels specification of individual plant species is not necessary because it would be binding to site and contrary to seasonal changes.

Overall, the proposed landscaping is compatible with the uses proposed for the site. The character and open feel of the landscape will be compatible with the surrounding properties, which are single family residences and a farm.

2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.

Generally, the proposed uses are appropriately screened. The new buildings all have foundation planting proposed around the perimeter of each building. The use of trees (street trees and trees interior to the property) around the perimeter of the site will provide screening and buffering of the use to adjacent properties. Along the east property line, where the development will be immediately adjacent to single family residential homes, trees proposed between the multi-family buildings and single family residences are narrow, upright maples (Armstrong and Bowhall). A wider variety of tree widths would provide more screening and buffering between the uses along the east property line.

There are several locations where the parking lot would be visible from adjacent properties of rights-of-way. In the northeast corner of the property a Texas Wax-Leaf Privet hedge along the length of the common property line will screen the parking lot, trash enclosure, and pedestrian connection to Baker Creek Road from the adjacent single family lot. The parking lot area between Buildings 3 and 4 will also be screened from the Hill Road right-of-way and residences across the street by a Texas Wax-Leaf Privet hedge. However, at parking lot between Buildings 2 and 3, there is no proposed landscaping on the ground plane that would screen the parking lot from the Hill Road right-of-way and residences across the street. Staff recommends a condition of approval that an evergreen hedge be provided to screen the parking lot use from the public right-of-way.

There are two (2) proposed trash/recycling enclosures to serve the multi-family development. One is located in the northeast corner of the property, and is screened on three sides with *Viburnum tinus* 'Spring Bouquet', a medium sized evergreen shrub. The other enclosure is located between Building 2 and 3 along NW Hill Road. The plan as submitted shows *Viburnum tinus* 'Spring Bouquet' proposed for the north and south sides of the enclosure with a sidewalk along the west side facing the Hill Road right-of-way. However, since the landscape plan was submitted, a change was made to move the sidewalk to the west, away from the enclosure. This will provide the opportunity to plant additional *Viburnum tinus* 'Spring Bouquet' along the west side of the enclosure and screen it from view and match the landscaping around the other trash enclosure. Section 17.61.030(C) requires landscaping on three sides of any enclosure visible from the street. Staff recommends a condition of approval that five (5) additional *Viburnum tinus* 'Spring Bouquet' are planted on the west side of the trash enclosure along NW Hill Road.

The bioswale in the southeast corner of the property is adjacent to and visible from the 23rd Street right-of-way. Proposed planting fully surrounds the bioswale, however it is all deciduous trees and shrubs. The plants on the southern edge of the swale, Douglas Spirea and Salmonberry, are both very densely

branched shrubs, and salmonberry will form a dense thicket. Introduction of evergreen plants into the plant palette could add additional screening during the winter and a consistent barrier from the immediately adjacent right-of-way and sidewalk.

3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.

The subject site is currently undeveloped farmland, with no existing trees or significant natural areas or features that can be incorporated into the project. The proposed development essentially maintains the existing grade of the property, as evidenced by the vegetated bioswale in the southeast corner of the site. This corner is the lowest elevation of the property and is the collection point for surface runoff, and therefore the most appropriate location for the bioswale.

4. The development and use of islands and plantings therein to break up parking areas.

To accommodate vehicles of future tenants, 115 surface parking stalls have been included in the site plan. The proposed landscape plan shows that landscape islands are used throughout the parking lot to break up large expanses of parking spaces. The most parking spaces between landscape islands is six (6) and the fewest is three (3), though one of the three is an accessible space with an associated loading zone.

The proposed landscaping in the islands is consistent throughout the development. The landscape islands at the ends of parking aisles all have one (1) *Acer rubrum* 'Armstrong'/Armstrong Red Maple and lawn. Landscape islands internal to parking aisles all have one (1) *Acer rubrum* 'Armstrong'/Armstrong Red Maple, five (5) *Mahonia repens*/Creeping Mahonia, and six (6) *Festuca glauca* 'Elijah Blue'/Elijah Blue Fescue.

Armstrong Red Maple is a deciduous tree that grows to a height of 50 to 70 feet tall, and 15 feet wide. Bark on the tree is silver grey, and the foliage's fall color is an erratic yellow-orange. The spacing of the trees within the parking lot is between 40 and 60 on center. At maturity at this spacing, the narrow, upright Armstrong Red Maple would not provide continuous canopy.

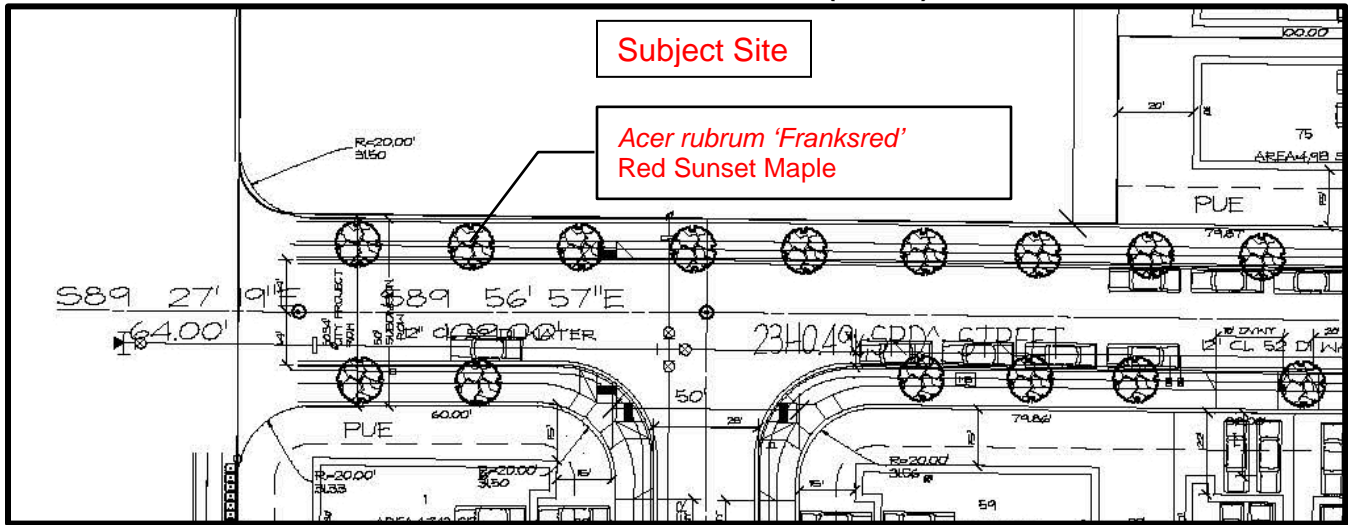
Creeping Mahonia is a native, evergreen shrub that grows to a height of 18 to 24 inches and will spread, acting as a groundcover. Foliage is dark green and spring flowers are yellow. Elijah Blue Fescue is a grey-blue ornamental grass growing to a 12 inch tall and wide clump. Both are considered tough, drought tolerant plants that should be able to withstand the additional stresses of the parking lot's environmental conditions.

5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.

Street tree planting is required for new multi-family development on lots fronting on a public roadway which has a designated curb-side planting strip. A street tree plan (L 1-18) was previously approved by the Landscape Review Committee, and the proposed landscape plan for Baker Creek Apartments notes that street trees are to be planted in accordance with the approved L 1-18 plan. The City of McMinnville provided a street tree plan for the Hill Road right-of-way to satisfy Condition of Approval #41 from AP 1-17.

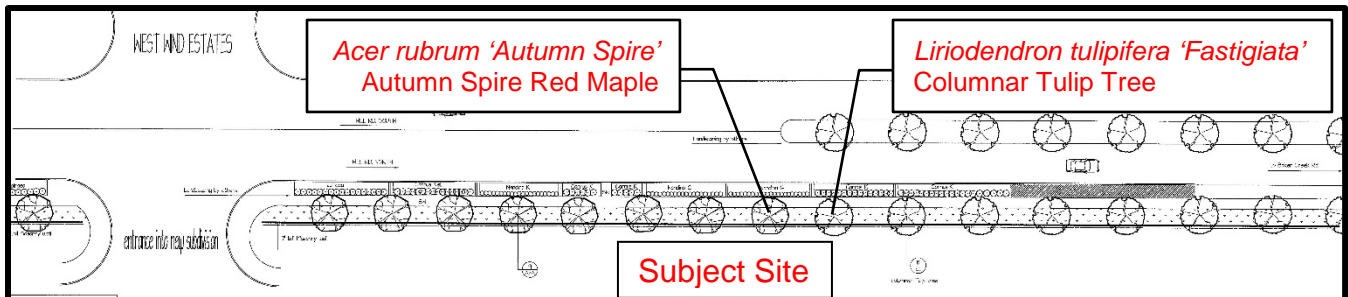
For reference, the approved street trees from L 1-18 adjacent to the proposed multi-family development on 23rd Street can be seen below:

BAKER CREEK WEST STREET TREE PLAN (L 1-18) – 23rd STREET



For reference, the City-provided and approved street trees adjacent to the proposed multi-family development on Hill Road can be seen below.

BAKER CREEK WEST STREET TREE PLAN – HILL ROAD

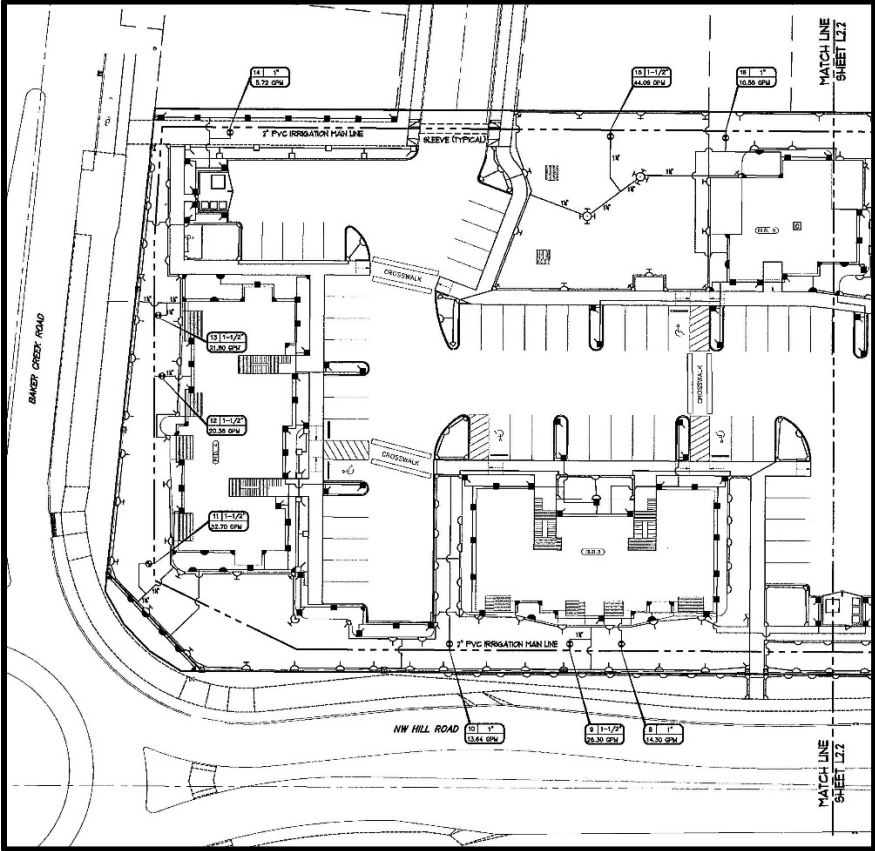


The street trees along 23rd Street are spaced at approximately 30 feet on center, and the street trees along Hill Road are spaced at about 35 feet on center. Because these street trees are not shown on the proposed landscape plan, it is not clear what the spacing is between the approved street trees and proposed trees. Staff recommends a condition of approval that no tree shall be spaced closer than 20 feet to a street tree in the Hill Road right-of-way, and no tree shall be spaced closer than 20 feet to a street tree on 23rd Street.

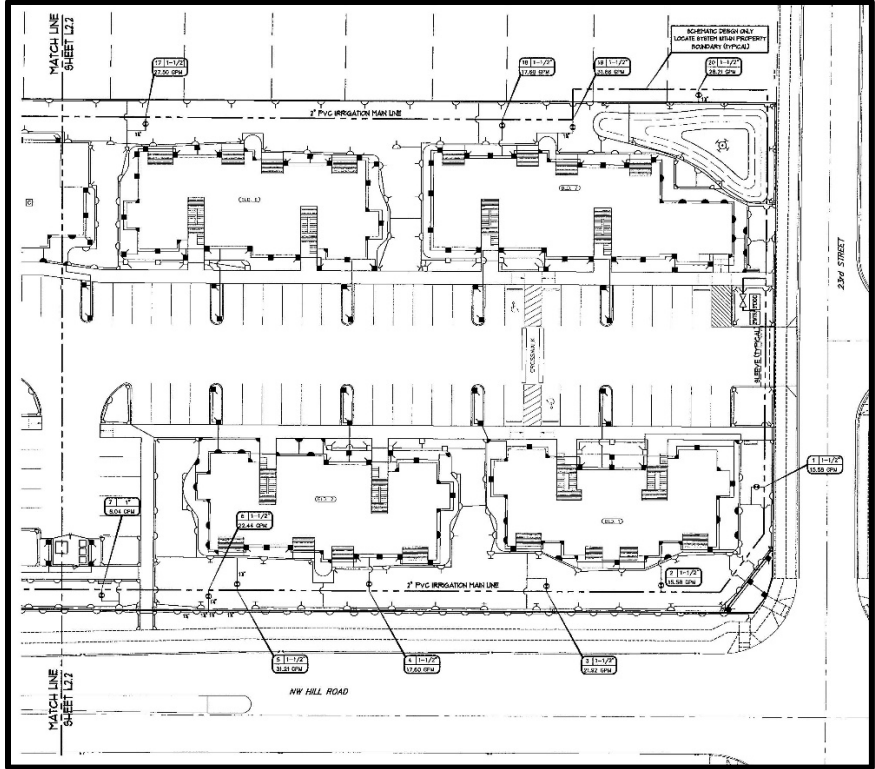
6. Suitable watering facilities or irrigation systems must be included in or near all planted areas.

An irrigation plan was submitted as part of the proposed landscape plan, and can be seen below. The irrigation plan indicates a full automatic irrigation system is to be installed in or near the planting areas.

BAKER CREEK APARTMENTS IRRIGATION PLAN – NORTH ENLARGEMENT



BAKER CREEK APARTMENTS IRRIGATION PLAN – SOUTH ENLARGEMENT



Fiscal Impact:

None.

Committee Options:

- 1) **APPROVE** the application, per the decision document provided which includes the findings of fact and conditions of approval.
- 2) **APPROVE** the application with additional conditions of approval, providing findings of fact for the inclusion of additional conditions.
- 3) **CONTINUE** the application, requesting the applicant to submit more information or details for review.
- 4) **DENY** the application, providing findings of fact for the denial in the motion to deny.

Recommendation/Suggested Motion:

Based on the findings described above, staff is recommending that the landscape plan be approved with the following conditions:

1. That the applicant shall install landscaping as shown on the landscape plan submitted to the Planning Department on September 28, 2018.
2. That the applicant shall provide erosion control method(s) as necessary for stabilizing the side slopes of the Vegetated Bioswale during the establishment period following seeding.
3. That an evergreen hedge shall be provided to screen the parking lot between Buildings 2 and 3 from the NW Hill Road public right-of-way.
4. That five (5) additional *Viburnum tinus* 'Spring Bouquet' are planted on the west side of the trash enclosure along NW Hill Road.
5. That no tree shall be spaced closer than 20 feet to a street tree in the Hill Road right-of-way, and no tree shall be spaced closer than 20 feet to a street tree in the 23rd Street right-of-way.
6. That the applicant shall maintain proper clearances around the existing and future water and electrical services that will be located on the site. Landscaping shall not be placed within four (4) feet of fire hydrants, within four (4) feet of water valves, within four (4) feet of vaults, within three (3) feet of the back or side of a transformer, or within one (1) foot of water meters. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
7. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

Suggested Motion:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE LANDSCAPE REVIEW COMMITTEE APPROVE L 36-18 WITH THE CONDITIONS OF APPROVAL AS RECOMMENDED BY STAFF.

JF:sjs



**CITY OF MCMINNVILLE
PLANNING DEPARTMENT**
231 NE FIFTH STREET
MCMINNVILLE, OR 97128

503-434-7311

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**DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS
FOR THE APPROVAL OF A LANDSCAPE PLAN FOR A NEW MULTI-FAMILY ARPARTMENT
COMPLEX AT R4418 00203.**

DOCKET: L 36-18 (Landscape Plan Review)

REQUEST: A request for approval of a landscape plan for a new multi-family apartment complex.

LOCATION: The property in question is located at southeast corner of the intersection of NW Baker Creek Road and NW Hill Road, and is more specifically described as Parcel 1, Partition 02-18, or the portion of Tax Lot 203, Section 18, T. 4 S., R. 4 W., W.M. zoned C-3 PD.

ZONING: The subject site is zoned C-3 PD (General Commercial, Planned Development), and is designated as Commercial on the McMinnville Comprehensive Plan Map.

APPLICANT: Morgan Will, Stafford Land Company, LLC

STAFF: Jamie Fleckenstein, PLA, Associate Planner

DATE DEEMED COMPLETE: October 2, 2018

HEARINGS BODY: McMinnville Landscape Review Committee

DATE & TIME: October 17, 2018. Meeting was held at the Community Development Center, 231 NE 5th Street, McMinnville, OR 97128

PROCEDURE: Landscape plans are required to be reviewed and approved by the Landscape Review Committee as described in Section 17.57.050 (Plans-Submittal and review-Approval-Time limit for completion) of the McMinnville Zoning Ordinance.

CRITERIA: The applicable criteria are specified in Section 17.57.070 (Area Determination – Planning factors) of the McMinnville Zoning Ordinance, McMinnville City Code.

APPEAL: The decision may be appealed within 15 days of the date the decision is mailed as specified in Section 17.57.170 of the McMinnville Zoning Ordinance.

COMMENTS: This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney;

McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Frontier Communications; Comcast; and Northwest Natural Gas. Their comments are provided in this exhibit.

DECISION

Based on the findings and conclusions, the Planning Commission recommends **APPROVAL** of the landscape plan (L 36-18) **subject to the conditions of approval provided in this document.**

////////////////////////////////////
DECISION: APPROVAL WITH CONDITIONS
////////////////////////////////////

Planning Staff: _____
Jamie Fleckenstein, PLA, Associate Planner

Date: _____

Planning Department: _____
Heather Richards, Planning Director

Date: October 17, 2018

APPLICATION SUMMARY:

The applicant, Morgan Will on behalf of Stafford Land Company, LLC, submitted a landscape plan for the proposed Baker Creek Apartments. Landscape plans are required to be reviewed and approved by the Landscape Review Committee as described in Section 17.57.050 (Plans-Submittal and review-Approval-Time limit for completion) of the McMinnville Zoning Ordinance.

The applicant is proposing six (6) new apartment buildings with a total of 70 one and two bedroom units on a 3.337 acre commercially zoned lot in northwest McMinnville. The buildings are located around the perimeter of the lot and an interior parking lot is proposed with 115 surface parking stalls and two (2) trash/recycling enclosures. The site design also includes a recreation/manager's office building, a maintenance/cart storage building, a recreation/play area, and a mail box area.

The subject site is in the northwest corner of the Baker Creek West development, and upon build-out, will be bordered to the east and south by single family residences. Across NW Baker Creek Road to the north is undeveloped farm land that is the site of a potential Baker Creek North development. Across NW Hill Road to the west is West Wind, a single family residential development, and Draper Farm, a family farm growing and selling produce. NW Hill Road adjacent to the site is the McMinnville city limit.

The subject site is previously undeveloped farm land. It is a relatively flat lot that slopes gradually to the southeast corner, where a vegetated bio-swale is proposed to collect stormwater from the site.

The approximate location of the subject site can be seen below, outlined in red:



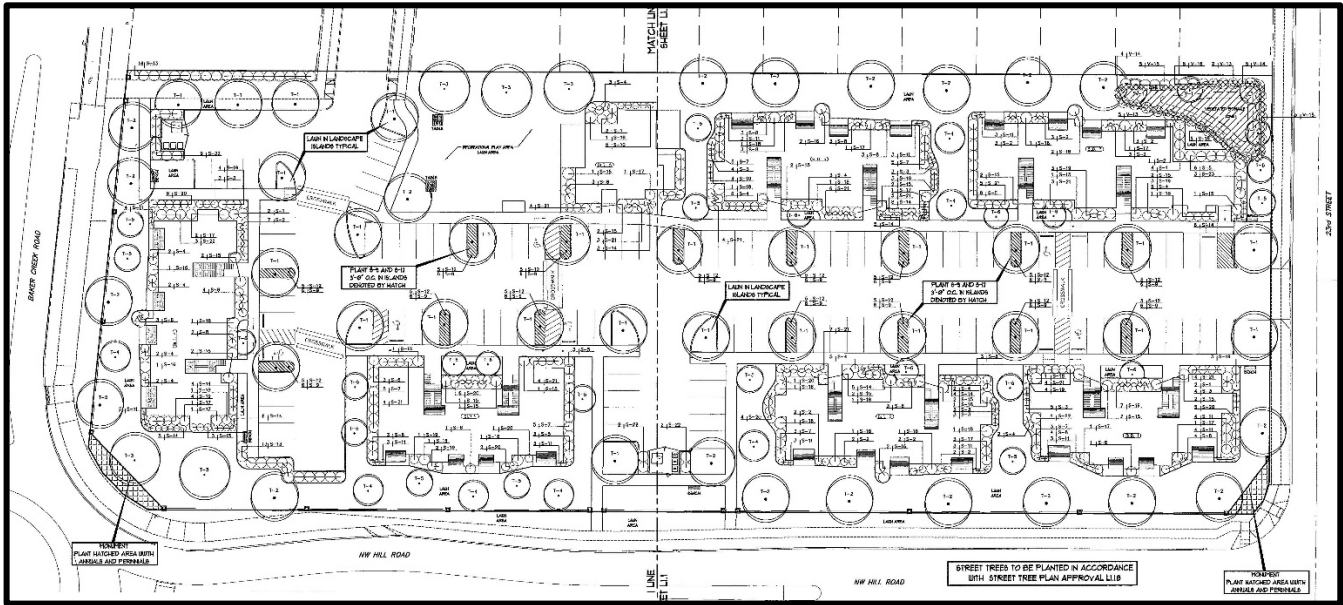
The subject site is zoned C-3 PD (General Commercial Planned Development). Condition of Approval #2 of land use decision document AP 1-17 applies specifically to the subject site and reads:

2. That per the applicant's proposal, the 3.8 acres of land zoned C-3 PD shall be limited to a multi-family unit complex of no more than 70 dwelling units and any supportive services deemed appropriate to serve the multi-family complex. Site plans and building elevations for the proposed multi-family units must be submitted to and approved by the Planning Director prior to the issuance of any building permits for said units. The multiple-family buildings shall be no more than 35 feet in height and must be nonlinear in design and parking lots must be broken up by landscaping. Prior to the release of building permits, a landscape plan for a minimum of 25 percent of the multiple-family site shall be provided to the Landscape Review Committee for review and approval. In addition, useable open space and a 20-foot wide easement containing a 10-foot wide paved pedestrian connection from Haun Drive to Baker Creek Road to be located within the east edge of this site shall be provided within the development, and streetside landscaping shall be emphasized.

The landscape plan as proposed exceeds the required 25 percent landscaping requirement. The applicant indicates the total landscaped area is 58,219 square feet, or 40.1 percent of the total lot area. The proposed landscape plan includes the required pedestrian connection and useable open space.

The overall landscape plan, plan enlargements, and plant lists can be seen below:

BAKER CREEK APARTMENTS LANDSCAPE PLAN - OVERALL



BAKER CREEK ROAD

NW HILL ROAD

MONUMENT PLANT HATCHED AREA WITH ANNUALS AND PERENNIALS

LAWN IN LANDSCAPE ISLANDS TYPICAL

CROSSWALK

RECREATIONAL PLAY AREA LAWN AREA

STREET TREES TO BE PLANTED IN ACCORDANCE WITH STREET TREE PLAN APPROVAL L1.18

MATCH LINE SHEET L1.2

MATCH LINE SHEET L1.2

BAKER CREEK APARTMENTS LANDSCAPE PLAN – PLANT LIST: APARTMENTS

PLANT PALETTE APARTMENTS

QTY.	SYM	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION	REMARKS
TREES						
31	T-1	Acer rubrum 'Armstrong'	Armstrong Red Maple	1 1/2'-2' cal.	B & B	6' Standard
24	T-2	Acer rubrum 'Bowhall'	Bowhall Red Maple	1 1/2'-2' cal.	B & B	6' Standard
5	T-3	Acer rubrum 'Autumn Blaze'	Autumn Blaze Maple	1 1/2'-2' cal.	B & B	6' Standard
7	T-4	Cercis occidentalis	Western Redbud	1 1/2'-2' cal.	B & B	6' Standard
14	T-5	Fagus sylvatica 'Daweyck Purple' Columnar	Columnar Daweyck Purple Leaf Beech	1 1/2'-2' cal.	B & B	4' Standard
8	T-6	Pyrus calleryana 'Capita'	Capital Flowering Pear	1 1/2'-2' cal.	B & B	6' Standard
SHRUBS						
39	S-1	Abelia grandiflora 'Ed Goucher'	Edward Goucher Abelia	2 gal.	cont.	Full
32	S-2	Berberis thunbergii 'Crimson Pygmy'	Crimson Pygmy Japanese Barberry	2 gal.	cont.	Full
46	S-3	Calamagrostis x acutiflora 'Avalanche'	Avalanche Feather Reed Grass	2 gal.	cont.	Full
44	S-4	Cornus stolonifera 'Kelsey'	Kelsey Dwarf Redwig Dogwood	2 gal.	cont.	Full
24	S-5	Cornus sericea Arctic Fire 'Farrow'	Arctic Fire Redwig Dogwood	2 gal.	cont.	Full
125	S-6	Daphne odora 'Marginata'	Marginata Daphne	2 gal.	cont.	Full
62	S-7	Euonymus alatus 'Compactus'	Burning Bush Winged Euonymus	2 gal.	cont.	Full
32	S-8	Euonymus fortunei Moonshadow	Moonshadow Euonymus	2 gal.	cont.	Full
110	S-9	Festuca glauca Elijah Blue	Elijah Blue Festuca Grass	1 gal.	cont.	Full
34	S-10	Ilex crenata 'sky pencil'	Sky Pencil Japanese Holly	3'-4' Tall	cont.	Full
40	S-11	Mahonia equifolium 'Compact'	Compact Oregon Grape	2 gal.	cont.	Full
79	S-12	Mahonia repens	Creeping Mahonia	1 gal.	cont.	Full
32	S-13	Ligustrum japonicum Texarum	Texas Wax-Leaf Privet	5 gal.	cont.	Full
84	S-14	Pennisetum alopecuroides Hameln	Dwarf Fountain Grass	2 gal.	cont.	Full
42	S-15	Persea japonica 'Astrid' Compacta	Astrid Japanese Andromeda Compacta	5 gal.	cont.	Full
61	S-16	Rhododendron 'Yaku Princess'	Yaku Princess Rhododendron	24"-30"	w/buds	Full
10	S-17	Rhododendron 'Daphnoides'	Daphnoides Rhododendron	24"-30"	w/buds	Full
13	S-18	Rhododendron 'PJM'	PJM Rhododendron	24"-30"	w/buds	Full
32	S-19	Spiraea japonica 'Magic Carpet'	Magic Carpet Spirea	2 gal.	cont.	Full
28	S-20	Spiraea japonica 'Gold Flame'	Gold Flame Spirea	2 gal.	cont.	Full
53	S-21	Rosa 'Radio' Double Knockout Rose	Double Knockout Rose	2 gal.	cont.	Full
17	S-22	Viburnum tinus 'Spring Bouquet'	Laurustinus 'Spring Bouquet'	5 gal.	cont.	Full

BAKER CREEK APARTMENTS LANDSCAPE PLAN – PLANT LIST: BIOSWALE

PLANT PALETTE VEGETATED BIO SWALE

QTY.	SYM	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION	REMARKS
Tree						
4	V-1	Acer circinatum (3 stem clump)	Vine Maple (3 stem clump)	5' - 6'	B & B	Full
ZONE 1 BOTTOM & SIDE SLOPES EQUALS 1,387 Sq. Ft.						
Pro Time 449 Clean Water Services Native Wet Area Mix. See General Landscape Notes						
ZONE 2 TOP/DRIER EQUALS 612 Sq. Ft.						
7	V-13	Symphoricarpos albus	Common Snowberry	1 gal.	Planted 4' o/c	Tri-Space
9	V-14	Rubus spectabilis	Salmonberry	1 gal.	Planted 4' o/c	Tri-Space
10	V-15	Spiraea douglasii	Douglas Spiraea	1 gal.	Planted 4' o/c	Tri-Space
10	V-16	Physocarpus capitatus	Pacific Nine Bark	1 gal.	Planted 4' o/c	Tri-Space

CONDITIONS OF APPROVAL:

L 36-18 is approved subject to the following conditions:

1. That the applicant shall install landscaping as shown on the landscape plan submitted to the Planning Department on September 28, 2018.
2. That the applicant shall provide erosion control method(s) as necessary for stabilizing the side slopes of the Vegetated Bioswale during the establishment period following seeding.

3. That an evergreen hedge shall be provided to screen the parking lot between Buildings 2 and 3 from the NW Hill Road public right-of-way.
4. That five (5) additional *Viburnum tinus* 'Spring Bouquet' are planted on the west side of the trash enclosure along NW Hill Road.
5. That no tree shall be spaced closer than 20 feet to a street tree in the Hill Road right-of-way, and no tree shall be spaced closer than 20 feet to a street tree in the 23rd Street right-of-way.
6. That the applicant shall maintain proper clearances around the existing and future water and electrical services that will be located on the site. Landscaping shall not be placed within four (4) feet of fire hydrants, within four (4) feet of water valves, within four (4) feet of vaults, within three (3) feet of the back or side of a transformer, or within one (1) foot of water meters. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
7. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

ATTACHMENTS:

1. Application for Landscape Plan Review (on file with the Planning Department)

COMMENTS:

Agency Comments

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Frontier Communications, Comcast, Northwest Natural Gas. The following comments had been received:

- McMinnville Public Works:

1. The landscape plan appears to show plantings outside of the public right of way, which is outside of our purview.
2. That being noted, we might suggest that the applicant be encourage to coordinate this planting with the approved street tree plan (L1.18) for this area to avoid conflicts between tree canopies.

- McMinnville Water and Light:

1. Power denied landscape plans. Power plan is not in place so minimum distances from equipment cannot be determined.
2. Water denied landscape plans. Water plan is not in place so minimum distances from equipment cannot be determined.

Public Comments

No public notice of the application was provided by the City of McMinnville, as Landscape Plan Review applications are reviewed by the process described in Section 17.57.050 (Plans-Submittal and review-Approval-Time Limit for completion) of the McMinnville Zoning Ordinance, which does not require any type of public notification. No public comments were received prior to the Planning Director's decision.

FINDINGS OF FACT

1. The applicant, Morgan Will on behalf of Stafford Land Company, LLC, submitted a request for a landscape plan review for the proposed Baker Creek Apartments.
2. The subject site is located at the southeast corner of NW Baker Creek Road and NW Hill Road, and is more specifically described as Parcel 1, Partition 02-18, or the portion of Tax Lot 203, Section 18, T. 4 S., R. 4 W., W.M. zoned C-3 PD.
3. The proposed development includes six (6) new apartment buildings with a total of 70 one and two bedroom units. The buildings are located around the perimeter of the lot and an interior parking lot is proposed with 115 surface parking stalls and two (2) trash/recycling enclosures. The site design also includes a recreation/manager's office building, a maintenance/cart storage building, a recreation/play area, and a mail box area.
4. This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments were received by the Planning Department and have been incorporated into the conditions of approval.
5. No public notice of the application was provided by the City of McMinnville, as Landscape Plan Review applications are reviewed by the process described in Section 17.57.050 (Plans-Submittal and review-Approval-Time Limit for completion) of the McMinnville Zoning Ordinance, which does not require any type of public notification. No public comments were received prior to the Planning Director's decision.
6. The applicant has submitted findings (Attachment 1) in support of this application. Those findings are herein incorporated.

CONCLUSIONARY FINDINGS:

McMinnville's Comprehensive Plan:

The following Goals and Policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

GOAL IV 3: TO ENSURE COMMERCIAL DEVELOPMENT THAT MAXIMIZES EFFICIENCY OF LAND USE THROUGH UTILIZATION OF EXISTING COMMERCIALY DESIGNATED LANDS, THROUGH APPROPRIATELY LOCATING FUTURE COMMERCIAL LANDS, AND DISCOURAGING STRIP DEVELOPMENT.

Policy 32.00: Where necessary, landscaping and/or other visual and sound barriers shall be required to screen commercial activities from residential areas.

Finding: Goal IV 3 and Policy 32.00 are satisfied in that the proposed landscape plan includes trees and other landscaped areas that will provide screening of the proposed use from the public right-of-way and from adjacent residential areas.

GOAL VI 1: TO ENCOURAGE DEVELOPMENT OF A TRANSPORTATION SYSTEM THAT PROVIDES FOR THE COORDINATED MOVEMENT OF PEOPLE AND FREIGHT IN A SAFE AND EFFICIENT MANNER.

Policy 122.00: The City of McMinnville shall encourage the following provisions for each of the three functional road classifications:

- 1. Major, minor arterials.
–Landscaping should be encouraged along public rights-of-way.*
- 2. Major, minor collectors.
–Landscaping should be encouraged along public rights-of-way.*
- 3. Local Streets
–Landscaping should be encouraged along public rights-of-way.*

Finding: Goal VI 1 and Policy 122.00 are satisfied in that trees will be installed along the public right-of-way along NW Baker Creek Road, NW Hill Road, and NW 23rd Street. The trees are not located in the public right-of-way, but are being placed along the property lines so that they are visible from the public right-of-way and provide screening of the use from the public right-of-way.

GOAL X 1: TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF McMINNVILLE.

Policy 188.00: The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.

Finding: Goal X and Policy 188.00 are satisfied in that McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the McMinnville Landscape Review Committee review of the request and recommendation at an advertised public hearing. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

McMinnville's City Code:

The following Sections of the McMinnville Zoning Ordinance (Ord. No. 3380) are applicable to the request:

Chapter 17.57 - Landscaping:

17.57.010 Purpose and intent. The purpose and intent of this Chapter is to encourage and, where appropriate, require the use of landscape elements, particularly plant materials, in proposed developments in an organized and harmonious manner that will enhance, protect and promote the economic, ecological and aesthetic environment of McMinnville. Landscaping is considered by McMinnville to be an integral part of a complete comprehensive development plan. [...]

Finding: This criteria has been met. The landscape plan as proposed would enhance the appearance of the city and will benefit the economic, ecological, and aesthetic environment of the city. The

landscape plan as proposed meets the intent and purpose of the Landscaping chapter, as described in the findings for the specific landscape plan review criteria below.

17.57.030 Zones Where Required. Landscaping shall be required in the following zones except as otherwise noted:

D. C-3 (General Commercial zone)

Finding: This criteria has been met. The subject site is zoned C-3 PD (General Commercial, Planned Development), and landscaping is being proposed as required.

17.57.050 Plans—Submittal and review—Approval—Time limit for completion.

C. The landscaping plan shall be approved if it is found to be compatible with the purpose, intent, and requirements of this chapter. Approval of the landscaping plan shall be indicated upon the plot plans. Any modifications shall be specified on the plans and agreed to in writing by the applicant prior to the issuance of a building permit. One copy of said approved plan shall be retained by the Planning Department and included within the permanent file;

Finding: This criteria has been met. The landscape plan as proposed meets the intent and purpose of the Landscaping chapter, as described in the findings for the specific landscape plan review criteria below. Modifications as required by the conditions of approval will be discussed with the applicant and agreed to prior to the issuance of a building permit.

17.57.070 Area Determination—Planning factors.

A. Landscaping shall be accomplished within the following ranges:

3. Multiple-family, twenty-five percent of the gross area. This may be reduced to not less than fifteen percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)

Finding: This criteria has been met. The landscape plan as proposed shows 40.1 percent of the subject site being landscaped, which exceeds the minimum requirement.

B. The following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:

1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

Finding: This criteria has been met by conditions of approval included to ensure the landscaping in the proposed is compatible with the proposed uses. Condition of Approval #2 in this decision document ensures that landscaping in the vegetated bioswale is compatible with the use. Condition of Approval #5 in this decision document ensures that proposed trees are compatible with the approved street tree plan (L 1-18) for this project. Condition of Approval #6 in this decision document ensures that proposed landscaping are compatible with existing and future water and electrical services.

The proposed multi-family project includes the development of six (6) new apartment buildings with a total of 70 one and two bedroom units, an interior parking lot with 115 surface parking stalls, two (2) trash/recycling enclosures, a recreation/manager's office building, a maintenance/cart storage building, a recreation/play area, and a mail box area. A fence along the north and west property lines will consist of cultured stone pillars and a white vinyl two-rail fence between. Monument signs will be at the northwest and southwest property corners.

Landscaping is proposed around each new building, including the apartments, and the recreation and the maintenance buildings. Generally, the planting around each building is a combination of evergreen and deciduous shrubs and ornamental grasses, with varying heights, foliage textures and colors, and seasonal interest (blooms, fall color, etc...). Below is a table identifying the shrubs around each individual building:

Building	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
1	Abelia grandiflora 'Ed Goucher'																					
2		Berberis thunbergii 'Crimson Pygmy'																				
3			Calamagrostis x acutifolia 'Avalanche'																			
4				Cornus stolonifera 'Kelsey'																		
5					Cornus sericea 'Arctic Fire'																	
6						Daphne odora 'Aureomarginata'																
7							Euonymus alatus 'Compacta'															
8								Euonymus fortunei 'Moonshadow'														
9									Festuca glauca 'Elijah Blue'													
10										Ilex crenata 'Sky Pencil'												
11											Mahonia aquifolium 'Compacta'											
12												Mahonia repens										
13													Ligustrum japonicum 'Texanum'									
14														Pennisetum alopecuroides 'Hameln'								
15															Pieris japonica 'Astrid'							
16																Rhododendron 'Yaku Princess'						
17																	Rhododendron 'Daphnoides'					
18																		Rhododendron 'PJM'				
19																			Spiraea japonica 'Magic Carpet'			
20																				Spiraea japonica 'Goldflame'		
21																					Rosa 'Double Knockout'	
22																						Viburnum tinus 'Spring Bouquet'

- S-1. Abelia grandiflora 'Ed Goucher'/Edward Goucher Abelia: Medium evergreen shrub growing to 5'x5' with pink summer flowers.
- S-2. Berberis thunbergii 'Crimson Pygmy'/Crimson Pygmy Japanese Barberry: Dwarf deciduous shrub growing to 2'x2' with deep crimson foliage.
- S-3. Calamagrostis x acutifolia 'Avalanche'/Avalanche Feather Reed Grass: Tall ornamental grass growing to 4'-6'x2' with stiff, upright form and showy plumes in summer.
- S-4. Cornus stolonifera 'Kelsey'/Kelsey Dwarf Redtwig Dogwood: Dwarf deciduous shrub growing to 2'x2' with red stems that are striking after foliage falls off.
- S-5. Cornus sericea 'Arctic Fire'/Arctic Fire Redtwig Dogwood: Medium deciduous shrub growing to 4'x4' with red stems that are striking after foliage falls off.
- S-6. Daphne odora 'Aureomarginata'/Variegated Winter Daphne: Medium evergreen shrub growing to 4'x4' with fragrant spring flowers.
- S-7. Euonymus alatus 'Compacta'/Dwarf Burning Bush: Large deciduous shrub growing to 8'x8' with brilliant red fall color.
- S-8. Euonymus fortunei 'Moonshadow'/Moonshadow Wintercreeper: Medium evergreen shrub growing to 3'x5' with green and yellow foliage.
- S-9. Festuca glauca 'Elijah Blue'/Elijah Blue Fescue: Small ornamental grass growing to 1'x1' with showy icy blue foliage.
- S-10. Ilex crenata 'Sky Pencil'/Sky Pencil Japanese Holly: Columnar evergreen shrub growing to 8'x3'.
- S-11. Mahonia aquifolium 'Compacta'/Compact Oregon Grape: Native medium evergreen shrub growing to 3'x3' with yellow spring flowers and seasonal foliage interest.
- S-12. Mahonia repens/Creeping Mahonia: Native small shrub growing to 2' and will spread as a groundcover with yellow spring flowers.
- S-13. Ligustrum japonicum 'Texanum'/Texas Wax-Leaf Privet: Large evergreen shrub growing to 10'x6' with fragrant white spring flowers. Often pruned into a hedge.
- S-14. Pennisetum alopecuroides 'Hameln'/Dwarf Fountain Grass: Small ornamental grass growing to 2'x2' with dramatic foliage and plumes.

- S-15. Pieris japonica 'Astrid'/Astrid Japanese Andromeda: Medium evergreen shrub growing to 4'x3' with white spring flowers. New foliage emerges red and turns green and white.
- S-16. Rhododendron 'Yaku Princess'/Yaku Princess Rhododendron: Medium evergreen shrub growing 5'x5' with showy pink spring blooms.
- S-17. Rhododendron 'Daphnoides'/Daphnoides Rhododendron: Large evergreen shrub growing 6'x6' with showy pink spring blooms.
- S-18. Rhododendron 'PJM'/PJM Rhododendron: Medium evergreen shrub growing 5'x5' with showy lavender spring blooms and dark green foliage turning mahogany in winter.
- S-19. Spiraea japonica 'Magic Carpet'/Magic Carpet Spirea: Small deciduous shrub growing to 2'x2' with pink spring flowers and foliage emerging red, maturing to bright yellow, and red in fall.
- S-20. Spiraea japonica 'Gold Flame'/Gold Flame Spirea: Medium deciduous shrub growing to 4'x4' with red spring flowers and foliage emerging bronze, maturing to yellow-green, and orange in fall.
- S-21. Rosa x 'Radtko'/Double Knockout Rose: Medium deciduous shrub growing to 4'x4' with showy red blooms from spring through fall. Resistant to diseases.

The landscaping around each of new buildings is consistent in style and character throughout the development, though the specific combinations and quantities of plants may vary between the individual buildings. The overall effect of the landscaping around the apartments buildings is that they will appear similar enough to feel cohesive, yet different enough to not be cookie cutter.

Between the planting beds adjacent to the buildings and the property line fencing is open lawn with a variety of trees, giving the property a park-like feel. The trees used throughout the open lawn spaces are described below:

- T-1. Acer rubrum 'Armstrong'/Armstrong Red Maple: Narrow, upright deciduous tree growing to 70'x15' with inconsistent yellow-orange fall color.
- T-2. Acer rubrum 'Bowhall'/Bowhall Red Maple: Very narrow, upright deciduous tree growing to 40'x15' with reddish-orange fall color.
- T-3. Acer rubrum 'Autumn Blaze'/Autumn Blaze Red Maple: Deciduous shade tree growing to 50'x40' with outstanding red fall color.
- T-4. Cercis occidentalis/Western Redbud: Deciduous understory tree growing to 15'x10' with showy purple spring blooms and excellent fall color.
- T-5. Fagus sylvatica 'Dawyck Purple'/Columnar Purple European Beech: Columnar deciduous tree growing to 50'x15' with dark purple foliage.
- T-6. Pyrus calleryana 'Capital'/Capital Flowering Pear: Columnar deciduous tree growing to 45'x15' with white spring blooms, colorful fall foliage, and ornamental fruit in the winter.

The columnar trees are generally spaced 20 to 25 feet apart from each other and 30 to 40 feet from the broader Autumn Blaze Red Maples. A street tree plan has been approved (L 1-18) indicating trees between the sidewalk and fence, however those trees are not shown on the proposed landscape plan. Some adjustment to the locations of trees interior to the property may be needed to accommodate the regular spacing of the approved street trees.

Near the northeast corner of the development, adjacent to Building 5, the recreation building, is a recreational play area that is contiguous to the adjacent recreational open space that is part of the single family residential subdivision. The recreational play area features open lawn space, 2 picnic tables, and four (4) trees, three (3) Autumn Blaze Red Maples and one (1) Bowhall Red Maple. The subdivision plans indicated a play structure is proposed for the adjacent open space, so an unstructured recreational space at this location is appropriate.

Interior to the buildings and play space is the parking lot and trash/recycling enclosures. The parking lot is broken up through the use of planting islands, and planting is proposed at the trash/recycling enclosures. Further discussion of the parking lot landscaping and islands is below, under Review

Criteria #2 and #4. Further discussion of the landscaping around the trash enclosures is below, under Review Criteria #2.

Located in the southeast corner of the property, at the lowest elevation point, is a Vegetated Bioswale that is the collection point and initial treatment for stormwater from half of the parking lot. The bottom and side slopes (Zone 1) of the bioswale is to be seeded with ProTime 499 Clean Water Service Native Wet Area Mix. This mix contains:

- Slough Sedge - *Carex obnupta*
- Small Fruited Bulrush - *Scirpus microcarpus*
- Dense Sedge - *Carex densa*
- Creeping Spikerush - *Eleocharis palustris*
- Spreading Rush - *Juncus patens*

Zone 2 of the bioswale, the upper, drier edge, is to be planted with a variety of native trees and shrubs suitable for wet soil conditions associated with bioswales, which are described below:

- V-1. *Acer circinatum*/Vine Maple: Native deciduous tree growing to 25'x25'. Multiple stem clumps specified.
- V-13. *Symphoricarpos albus*/Snowberry: Medium native deciduous shrub growing to 6'x6' with white fruit that persists into winter.
- V-14. *Rubus spectabilis*/Salmonberry: Large native deciduous shrub growing to 8'x8' with red spring flowers and salmon colored fruit.
- V-15. *Spiraea douglasii*/Douglas Spirea: Medium native deciduous shrub growing to 6'x6' with pink flowers.
- V-16. *Physocarpus capitatus*/Pacific Ninebark: Large native deciduous shrub growing to 10' or more, width less, with white spring flowers.

The landscape plan shows that the side slopes of the bioswale are 3:1 and the swale is three (3) feet deep. The steep slopes and broad bottom of the element suggests that this will act more like a detention pond than a swale, collecting and regulating the discharge of water. The landscape plan does not indicate if fencing is proposed to prevent access into the drainage area. The landscape plan indicates that seeding of Zone 1 and Zone 2 shall occur between March 1 to April 15, or September 1 to October 15. There is no indication in the landscape plan or specifications if erosion control methods would be in place to allow the seed to establish in the rainy period following the seeding timeframes. Erosion of the side slopes would wash the seed away, diminishing the effectiveness of the stormwater function and the aesthetics of the area which would be visible from the 23rd Street right-of-way. Staff recommends a condition of approval requiring erosion control method(s) for stabilizing the side slopes of the Vegetated Bioswale during the establishment period following seeding.

At the northwest and southwest corners of the property, monument signs are being proposed. There is no indication of the design of the monument signs or the walls/fences they are a part of. The landscape plan shows the area in front of each monument sign to be planted with annuals and perennials, but no further detail is provided. The monument sign planting is expected to change seasonally, and staff feels specification of individual plant species is not necessary because it would be binding to site and contrary to seasonal changes.

Overall, the proposed landscaping is compatible with the uses proposed for the site. The character and open feel of the landscape will be compatible with the surrounding properties, which are single family residences and a farm.

2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.

Finding: This criteria has been met by conditions of approval included to ensure parking lots and trash enclosures are screened. Condition of Approval #3 in this decision document ensures that evergreen planting will screen a parking lot. Condition of Approval #4 in this decision document ensures that additional evergreen planting is installed at a trash enclosure to screen it from the public right-of-way. Generally, the proposed uses are appropriately screened. The new buildings all have foundation planting proposed around the perimeter of each building. The use of trees (street trees and trees interior to the property) around the perimeter of the site will provide screening and buffering of the use to adjacent properties. Along the east property line, where the development will be immediately adjacent to single family residential homes, trees proposed between the multi-family buildings and single family residences are narrow, upright maples (Armstrong and Bowhall). A wider variety of tree widths would provide more screening and buffering between the uses along the east property line.

There are several locations where the parking lot would be visible from adjacent properties of rights-of-way. In the northeast corner of the property a Texas Wax-Leaf Privet hedge along the length of the common property line will screen the parking lot, trash enclosure, and pedestrian connection to Baker Creek Road from the adjacent single family lot. The parking lot area between Buildings 3 and 4 will also be screened from the Hill Road right-of-way and residences across the street by a Texas Wax-Leaf Privet hedge. However, at parking lot between Buildings 2 and 3, there is no proposed landscaping on the ground plane that would screen the parking lot from the Hill Road right-of-way and residences across the street. Staff recommends a condition of approval that an evergreen hedge be provided to screen the parking lot use from the public right-of-way.

There are two (2) proposed trash/recycling enclosures to serve the multi-family development. One is located in the northeast corner of the property, and is screened on three sides with *Viburnum tinus* 'Spring Bouquet', a medium sized evergreen shrub. The other enclosure is located between Building 2 and 3 along NW Hill Road. The plan as submitted shows *Viburnum tinus* 'Spring Bouquet' proposed for the north and south sides of the enclosure with a sidewalk along the west side facing the Hill Road right-of-way. However, since the landscape plan was submitted, a change was made to move the sidewalk to the west, away from the enclosure. This will provide the opportunity to plant additional *Viburnum tinus* 'Spring Bouquet' along the west side of the enclosure and screen it from view and match the landscaping around the other trash enclosure. Section 17.61.030(C) requires landscaping on three sides of any enclosure visible from the street. Staff recommends a condition of approval that five (5) additional *Viburnum tinus* 'Spring Bouquet' are planted on the west side of the trash enclosure along NW Hill Road.

The bioswale in the southeast corner of the property is adjacent to and visible from the 23rd Street right-of-way. Proposed planting fully surrounds the bioswale, however it is all deciduous trees and shrubs. The plants on the southern edge of the swale, Douglas Spirea and Salmonberry, are both very densely branched shrubs, and salmonberry will form a dense thicket. Introduction of evergreen plants into the plant palette could add additional screening during the winter and a consistent barrier from the immediately adjacent right-of-way and sidewalk.

3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.

Finding: This criteria has been met. The subject site is currently undeveloped farmland, with no existing trees or significant natural areas or features that can be incorporated into the project. The proposed development essentially maintains the existing grade of the property, as evidenced by the vegetated bioswale in the southeast corner of the site. This corner is the lowest elevation of the property and is the collection point for surface runoff, and therefore the most appropriate location for the bioswale.

4. The development and use of islands and plantings therein to break up parking areas.

Finding: This criteria has been met. To accommodate vehicles of future tenants, 115 surface parking stalls have been included in the site plan. The proposed landscape plan shows that landscape islands are used throughout the parking lot to break up large expanses of parking spaces. The most parking spaces between landscape islands is six (6) and the fewest is three (3), though one of the three is an accessible space with an associated loading zone.

The proposed landscaping in the islands is consistent throughout the development. The landscape islands at the ends of parking aisles all have one (1) *Acer rubrum* 'Armstrong'/Armstrong Red Maple and lawn. Landscape islands internal to parking aisles all have one (1) *Acer rubrum* 'Armstrong'/Armstrong Red Maple, five (5) *Mahonia repens*/Creeping Mahonia, and six (6) *Festuca glauca* 'Elijah Blue'/Elijah Blue Fescue.

Armstrong Red Maple is a deciduous tree that grows to a height of 50 to 70 feet tall, and 15 feet wide. Bark on the tree is silver grey, and the foliage's fall color is an erratic yellow-orange. The spacing of the trees within the parking lot is between 40 and 60 on center. At maturity at this spacing, the narrow, upright Armstrong Red Maple would not provide continuous canopy.

Creeping Mahonia is a native, evergreen shrub that grows to a height of 18 to 24 inches and will spread, acting as a groundcover. Foliage is dark green and spring flowers are yellow. Elijah Blue Fescue is a grey-blue ornamental grass growing to a 12 inch tall and wide clump. Both are considered tough, drought tolerant plants that should be able to withstand the additional stresses of the parking lot's environmental conditions.

5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.

Finding: This criteria has been met. Street tree planting is required for new multi-family development on lots fronting on a public roadway which has a designated curb-side planting strip. A street tree plan (L 1-18) was previously approved by the Landscape Review Committee, and the proposed landscape plan for Baker Creek Apartments notes that street trees are to be planted in accordance with the approved L 1-18 plan. The City of McMinnville provided a street tree plan for the Hill Road right-of-way to satisfy Condition of Approval #41 from AP 1-17.

6. Suitable watering facilities or irrigation systems must be included in or near all planted areas;

Finding: This criteria has been met. An irrigation plan was submitted as part of the proposed landscape plan, and can be seen below. The irrigation plan indicates a full automatic irrigation system is to be installed in or near the planting areas.

C. All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement. [...]

Finding: This criteria has been met by a condition of approval included to ensure that all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement. This is reflected in Condition of Approval #7 in this decision document.

JF:sjs

EXHIBIT 5 - STAFF REPORT

DATE: October 17, 2018
TO: McMinnville Landscape Review Committee
FROM: Jamie Fleckenstein, PLA, Associate Planner
SUBJECT: Agenda Item 4C: L 37-18

Report in Brief:

An application for a street tree removal (L 37-18) to be reviewed by the Landscape Review Committee.

Background:

The applicant and adjacent property owner, Fong K. Leung, submitted a street tree removal application to remove one (1) street tree from the property located at 1933 NE Coburn Drive. The subject property is more specifically described as Tax Lot 3900, Section 09DD, T. 4 S., R. 4 W., W.M.

Discussion:

The subject property is a single family property in northeast McMinnville in the Overlook Addition subdivision. The subject site can be seen below as a red outlined area:



The applicant requested the removal of the street tree because it has caused damage to the sidewalk. The tree in question is an *Acer spp.* (Maple) that measures approximately 15 inches DBH (diameter at breast height) and approximately 30 feet in height, and appears to be in good health. The tree is located on the south side of the property, along NE Coburn Drive in a planter strip that is approximately six (6) feet in width.

The following photos show the tree and condition of the adjacent sidewalk:







The applicant has not proposed to replace the tree.

Review Criteria:

Section 17.58.050 (Review Criteria) of the McMinnville Zoning Ordinance states that street tree removals may be granted if any of the following criteria apply:

- A. The tree is unsafe, dead, or diseased as determined by a Certified Arborist.

The tree in question does not display any obvious evidence of health issues, significant distress, or structural issues. Therefore, this criteria is not applicable.

- B. The tree is in conflict with public improvements.

The applicant has provided evidence of the damage that has been caused by tree roots to the sidewalk adjacent to the property. The tree has a shallow root system, with some larger surface roots that are running beneath the sidewalk immediately adjacent to the trees. This has caused significant lifting and cracking of the sidewalk panels along the property frontage to the point where it is becoming a safety hazard in the public right-of-way. Upon inspection of the site, Public Works staff determined that the street tree roots appear to have damaged the sidewalk. Therefore, the street tree removal request satisfies this criteria, as the tree is in conflict with public improvements adjacent to the subject property.

- C. The proposed removal or pruning is part of an approved development project, a public improvement project where no alternative is available, or is part of a street tree improvement program.

This criteria is not applicable, as the tree is not part of an approved development or public improvement project.

Tree Replacement:

Section 17.58.040(D) (Tree Removal/Replacement) of the McMinnville Zoning Ordinance states that “Approval of a request to remove a tree may be conditioned upon replacement of the tree with another tree approved by the city, or a requirement to pay to the city an amount sufficient to fund the planting and establishment by the city of a tree, or trees, of similar value.”

The applicant did not propose to replace the dead tree as part of the application. There is no approved street tree plan in place for NE Coburn Drive. A condition of approval has been included to require that the tree to be removed shall be replaced with an approved medium or large street tree from the McMinnville Street Tree List.

Fiscal Impact:

None.

Committee Options:

- 1) **APPROVE** the application, per the decision document provided which includes the findings of fact and conditions of approval.
- 2) **APPROVE** the application with additional conditions of approval, providing findings of fact for the inclusion of additional conditions.
- 3) **CONTINUE** the application, requesting the applicant to submit more information or details for review.
- 4) **DENY** the application, providing findings of fact for the denial in the motion to deny.

Recommendation/Suggested Motion:

If the Landscape Review Committee finds that the proposed removal will result in the mitigation of current and future risk due to an unsafe, dead, or diseased tree, staff is recommending that the street tree removal be approved with the following conditions:

1. That all costs and liability associated with the tree removal and replacement shall be borne by the applicant.
2. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during this process.
3. That the tree's stump and remaining surface roots shall be removed at least six (6) inches below grade. At least a two inch thick layer of topsoil shall be placed over the remaining stump and surface roots. The area shall be crowned at least two inches above the surrounding grade to allow

for settling and shall be raked smooth. The applicant shall restore any damaged turf areas and grades due to vehicular or mechanical operations. The area shall be re-seeded.

4. That the tree to be removed shall be replaced with one (1) medium or large street tree from the McMinnville Street Tree List.
5. The replacement tree shall be a minimum of two (2) inches in caliper measured at six (6) inches above ground level. All trees shall be healthy grown nursery stock with a single straight trunk, a well-developed leader with tops and roots characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.
6. That the replacement tree shall be provided with root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of the tree and the curb side of the tree. The root barrier protection shall be placed in 10-foot lengths, centered on the tree, and to a depth of eighteen (18) inches. In addition, the tree shall be provided with deep watering tubes to promote deep root growth (see enclosed detail).
7. That the applicant shall contact the McMinnville Public Works Superintendent, David Renshaw, at (503) 434-7316 to discuss specific staking, watering tube requirements, and to schedule a planting inspection prior to backfilling.
8. That the applicant is reminded that trees are not to be planted within:
 - a. Five (5) feet of a private driveway or alley;
 - b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
 - c. Twenty (20) feet of street light standards or street intersections.
9. That the planter areas shall be restored to original grade immediately following the planting of the replacement trees.
10. That the applicant shall complete the tree removal and tree replacement within six (6) months of this approval notification, or April 17, 2019.
11. That the applicant shall obtain a sidewalk permit from Engineering and replace the damaged sidewalk panels.

Suggested Motion:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE LANDSCAPE REVIEW COMMITTEE APPROVE L 37-18 WITH THE CONDITIONS OF APPROVAL AS RECOMMENDED BY STAFF.

JF:sjs



**CITY OF MCMINNVILLE
PLANNING DEPARTMENT**
231 NE FIFTH STREET
MCMINNVILLE, OR 97128

503-434-7311
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**DECISION, CONDITIONS OF APPROVAL, AND FINDINGS OF FACT OF THE MCMINNVILLE
LANDSCAPE REVIEW COMMITTEE FOR THE APPROVAL OF A STREET TREE REMOVAL AT
1933 NE COBURN DRIVE**

DOCKET: L 37-18 (Street Tree Removal)

REQUEST: The applicant requested the removal one (1) street tree adjacent to the subject property.

LOCATION: The subject property is located at 1933 NE Coburn Drive. The subject property is more specifically described as Tax Lot 3900, Section 09DD, T. 4 S., R. 4 W., W.M.

ZONING: The subject site is zoned R-2 (Single Family Residential).

APPLICANT: Fong K. Leung

STAFF: Jamie Fleckenstein, PLA, Associate Planner

DATE DEEMED COMPLETE: October 4, 2018

HEARINGS BODY: McMinnville Landscape Review Committee

DATE & TIME: October 17, 2018

PROCEDURE: Any street tree removal is subject to review in accordance with procedures specified in Section 17.58-Trees of the McMinnville Zoning Ordinance. The application for street tree removal is subject to the procedures specified in Section 17.58.040 Tree Removal/Replacement.

CRITERIA: The applicable criteria are specified in Section 17.58.050 of the McMinnville Zoning Ordinance, McMinnville City Code.

APPEAL: The decision may be appealed within 15 days of the date the decision is mailed as specified in Section 17.58.040(A) of the McMinnville Zoning Ordinance.

COMMENTS: This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments were received by the Planning Department and have been incorporated into the conditions of approval. No public notice of the application was required by the McMinnville Zoning Ordinance. No additional comments were received by the Planning Department.

DECISION

Based on the findings and conclusions, the Landscape Review Committee recommends **APPROVAL** of the street tree removal (L 37-18) **subject to the conditions of approval provided in this document.**

DECISION: APPROVAL WITH CONDITIONS

Planning Staff: _____
 Jamie Fleckenstein, Associate Planner

Date: _____

Planning Department: _____
Heather Richards, Planning Director

Date: October 17, 2018

APPLICATION SUMMARY:

The applicant requested the removal of one (1) street tree adjacent to the subject property. The subject property is a single family property in northeast McMinnville at 1933 NE Coburn Drive. The tree requested for removal is located in the Coburn Drive public right-of-way adjacent to the subject property. The removal of a tree within the public right-of-way requires City approval.

The subject site can be seen below as a red outlined area:



The applicant requested the removal of the street tree because it has caused damage to the sidewalk. The tree in question is an *Acer spp.* (Maple) that measures approximately 15 inches DBH (diameter at breast height) and approximately 30 feet in height, and appears to be in good health. The tree is located on the south side of the property, along NE Coburn Drive in a planter strip that is approximately six (6) feet in width. The applicant has not proposed to replace the tree.

The following photos show the tree and condition of the adjacent sidewalk:







CONDITIONS OF APPROVAL:

L 37-18 is **approved** subject to the following conditions:

1. That all costs and liability associated with the tree removal and replacement shall be borne by the applicant.
2. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during this process.
3. That the tree's stump and remaining surface roots shall be removed at least six (6) inches below grade.
4. That the tree to be removed shall be replaced with a medium or large street tree from the McMinnville Street Tree List.
5. The replacement tree shall be a minimum of two (2) inches in caliper measured at six (6) inches above ground level. All trees shall be healthy grown nursery stock with a single straight trunk, a well-developed leader with tops and roots characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.
6. That the replacement tree shall be provided with root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of the tree and the curb side of the tree. The root barrier protection shall be placed in 10-foot lengths,

centered on the tree, and to a depth of eighteen (18) inches. In addition, the tree shall be provided with deep watering tubes to promote deep root growth (see enclosed detail).

7. That the applicant shall contact McMinnville Public Works at (503) 434-7316 to discuss specific staking, watering tube requirements, and to schedule a planting inspection prior to backfilling.
8. That the applicant is reminded that trees are not to be planted within:
 - a. Five (5) feet of a private driveway or alley;
 - b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
 - c. Twenty (20) feet of street light standards or street intersections.
9. That the planter areas shall be restored to original grade immediately following the planting of the replacement trees.
10. That the applicant shall complete the tree removal and tree replacement within six (6) months of this approval notification, or April 17, 2019.
11. That the applicant shall obtain a sidewalk permit from Engineering and replace the damaged sidewalk panels.

ATTACHMENTS:

1. Application for Street Tree Removal (on file with the Planning Department)

COMMENTS:

This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments were received by the Planning Department and have been incorporated into the conditions of approval.

Agency Comments

This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. The following comments had been received:

- McMinnville Public Works:

Site Review

1. The tree in question appears to be a maple variety. The tree is about 15" DBH.
2. The tree is planted in 6' planter strip between the curb and sidewalk, with landscape mulch with plastic sheeting as ground cover.
3. There are no overhead facility conflicts.
4. There is no damage to the adjacent curb or gutter.
5. There is significant damage to the adjacent sidewalk and private retaining wall.
6. The tree shows significant surface rooting throughout the park strip.
7. The tree does not show any obvious health or structural issue that would require removal.
8. The tree shows one large limb failure with an associated trunk wound that seems to be healing well with no obvious signs of rotting.

Recommendations

1. Given the damage to the sidewalk and retaining wall, we would recommend approval of this request.
2. Suggested conditions of approval:
 - a. Applicant to be responsible for all costs related to removal and replacement.
 - b. Applicant required to grind stump to a minimum of 6" below grade.
 - c. Applicant to call for a utility locate prior to removal.
 - d. Applicant to replace the trees with a variety acceptable to the Planning Department, minimum 2" caliper.
 - e. Applicant to plant trees as per the approved City detail.
 - f. Applicant to contact Public Works at (503)434.7316 for an inspection prior to backfill.
3. That the applicant be required to obtain a sidewalk permit from Engineering and replace the damaged sidewalk panels.

Public Comments

No public notice of the application was provided by the City of McMinnville, as Street Tree Removal applications are reviewed by the process described in Section 17.58.040 (Tree Removal/Replacement) of the McMinnville Zoning Ordinance, which does not require any type of public notification. No public comments were received prior to the Planning Director's decision.

FINDINGS OF FACT

1. Fong K. Leung submitted a street tree removal application requesting the removal of one (1) street tree. The removal of a tree within the public right-of-way requires City approval. The subject property is located at 1933 NE Coburn Drive. The subject property is more specifically described as Tax Lot 3900, Section 09DD, T. 4 S., R. 4 W., W.M.
2. The site is currently zoned R-2 (Single Family Residential), and is designated as Residential on the McMinnville Comprehensive Plan Map, 1980.
3. This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. No comments in opposition have been provided, and the comments provided by the Public Works Department and McMinnville Water and Light have been incorporated into the conditions of approval.
4. No public notice of the application was provided by the City of McMinnville, as Street Tree Removal applications are reviewed by the process described in Section 17.58.040 (Tree Removal/Replacement) of the McMinnville Zoning Ordinance, which does not require any type of public notification. No public comments were received prior to the Planning Director's decision.
5. A public meeting was held by the Landscape Review Committee on August 15, 2018 to review the application and proposed street tree removal request. No comments in opposition were provided by the public prior to the public meeting.

CONCLUSIONARY FINDINGS:

McMinnville's Comprehensive Plan:

The following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

GOAL VI 1: TO ENCOURAGE DEVELOPMENT OF A TRANSPORTATION SYSTEM THAT PROVIDES FOR THE COORDINATED MOVEMENT OF PEOPLE AND FREIGHT IN A SAFE AND EFFICIENT MANNER.

Policy 132.38.00: Aesthetics and streetscaping shall be a part of the design of McMinnville's transportation system. Streetscaping, where appropriate and financially feasible, including public art, shall be included in the design of transportation facilities. Various streetscaping designs and materials shall be utilized to enhance the livability in the area of a transportation project.

Finding: GOAL VI 1 and Policy 132.38.00 are satisfied in that one (1) replacement tree is being required to be replanted in this location. Conditions of approval are included to ensure that the replacement tree is planted to the City's current standards, which will minimize impacts to surrounding infrastructure in the future. The planting of the replacement tree will enhance the streetscape and livability in the surrounding area.

GOAL X 1: TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF McMINNVILLE.

Policy 188.00: The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.

Finding: Goal X 1 and Policy 188.00 are satisfied in that McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the McMinnville Landscape Review Committee review of the request and recommendation at an advertised public meeting. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

McMinnville's City Code:

The following Sections of the McMinnville Zoning Ordinance (Ord. No. 3380) are applicable to the request:

Chapter 17.58 - Trees

17.58.010 Purpose. The purpose of this ordinance is to establish and maintain the maximum amount of tree cover on public and private lands in the city; provide tree-lined streets throughout the city; select, situate and maintain trees appropriately to minimize hazard, nuisance, damage, and maintenance costs; to enhance the appearance, beauty and charm of the City; to implement applicable adopted Downtown Improvement Plan provisions; to promote a diverse, healthy, and sustainable community forest; and to educate the public regarding community forest issues.

Finding: The purpose of the Trees chapter of the McMinnville Zoning Ordinance has been met. Approval of the removal request will allow for the removal of one tree that damaging public improvements in the public right-of-way. The permitted removal of the existing tree and replacement with a healthy tree that meets the City's planting standards will carry out the purpose of the chapter.

17.58.020 Applicability. The provisions of this ordinance shall apply to:

- A. Individual significant or historic trees as defined in this ordinance
- B. All trees planted in or upon any public area or right-of-way;

- C. All trees planted in or upon any private property which directly affect public infrastructure including but not limited to sewers, water mains, sidewalks, streets, public property, or clear vision distances at street intersections;
- D. All trees on developable land and subject or undergoing development review such as site plan review, tentative subdivision review, or partition review.

Finding: The applicability of the ordinance is met. The tree being removed is located within the public right-of-way. Therefore, provisions of the Trees chapter of the McMinnville Zoning Ordinance apply and the removal of any tree within the public right-of-way requires City approval.

17.58.040 Tree Removal/Replacement

- A. The removal or major pruning of a tree, if applicable under Section 17.58.020, shall require City approval, unless specifically designated as exempt by this ordinance. Persons wishing to remove or prune such trees shall file an application for a permit with the McMinnville Planning Department. [...]

Finding: This criteria has been met. The applicant has filed an application for a Street Tree Removal Permit to be reviewed by the McMinnville Landscape Review Committee.

- C. The applicant shall be responsible for all costs associated with the tree removal or pruning, or as otherwise required by this ordinance, and shall ensure that all work is done in a manner which ensures safety to individuals and public and private property.

Finding: This criteria has been met by including a condition of approval to ensure the applicant shall be responsible for all costs associated with the tree removal. This is reflected in Condition of Approval #1 in this decision document.

- D. Approval of a request to remove a tree may be conditioned upon replacement of the tree with another tree approved by the city, or a requirement to pay to the city an amount sufficient to fund the planting and establishment by the city of a tree, or trees, of similar value. [...]

Finding: This criteria has been met by including a condition of approval to ensure the applicant shall replace the removed tree with a tree approved by the city. This is reflected in Condition of Approval #4 in this decision document.

- E. The applicant is responsible for grinding stumps and surface roots at least six inches below grade. At least a two inch thick layer of topsoil shall be placed over the remaining stump and surface roots. The area shall be crowned at least two inches above the surrounding grade to allow for settling and shall be raked smooth. The applicant shall restore any damaged turf areas and grades due to vehicular or mechanical operations. The area shall be re-seeded.

Finding: This criteria has been met by including a condition of approval to ensure the applicant shall remove the stump and surface roots, and restore the planting strip. This is reflected in Conditions of Approval #3 and #9 in this decision document.

- F. The applicant shall complete the tree removal, and tree replacement if required, within six months of receiving notification of the Landscape Review Committee's decision. The Landscape Review Committee may allow for additional time to complete the tree replacement to allow for planting in favorable seasons and to promote tree survivability.

Finding: This criteria has been met by including a condition of approval to ensure the applicant shall complete the tree removal and replacement within 6 months of approval. This is reflected in Condition of Approval #10 in this decision document.

- G. Other conditions may be attached to the permit approval by the McMinnville Landscape Review Committee as deemed necessary.
- H. The planting of street trees shall be subject to the design drawings and specifications developed by the City in May 2014. Specific design drawings and specifications have been developed for trees outside the Downtown Tree Zone. Such design specifications may be periodically updated by the City to include specifications such as tree root barriers, watering tubes or structures, tree grates, and removable pavers, and shall graphically describe the proper method for planting trees to minimize the potential for sidewalk / tree root conflict.

Finding: This criteria has been met by including a condition of approval to ensure the applicant shall plant the replacement street tree in accordance approved City standards and specifications. This is reflected in Condition of Approval #6 in this decision document.

17.58.050 Review Criteria. A permit for major pruning or tree removal shall be granted if any of the following criteria apply:

- B. The tree is in conflict with public improvements.

Finding: This criteria has been met. The applicant has provided evidence of the damage that has been caused by tree roots to the sidewalk adjacent to the property. The tree has a shallow root system, with some larger surface roots that are running beneath the sidewalk immediately adjacent to the trees. This has caused significant lifting and cracking of the sidewalk panels along the property frontage to the point where it is becoming a safety hazard in the public right-of-way. Upon inspection of the site, Public Works staff determined that the street tree roots appear to have damaged the sidewalk. Therefore, the street tree removal request satisfies this criteria, as the tree is in conflict with public improvements adjacent to the subject property.



17.58.090 Street Tree Standards.

- A. The species of the street trees to be planted shall be chosen from the McMinnville Street Tree List, as approved by Resolution 2016-22, unless approval of another species is given by the McMinnville Landscape Review Committee. The Landscape Review Committee may

periodically update the McMinnville Street Tree List as necessary to reflect current arborist practices and industry standards.

Finding: This criteria has been met by including a condition of approval to ensure the applicant shall select an approved tree from the McMinnville Street Tree List. This is reflected in Condition of Approval #4 in this decision document.

- B. Street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above ground level. All trees shall be healthy grown nursery stock with a single straight trunk, a well developed leader with tops and roots characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.

Finding: This criteria has been met by including a condition of approval to ensure the replacement street tree shall meet approved City standards and specifications. This is reflected in Condition of Approval #5 in this decision document.

- E. Street trees shall not be planted within ten (10) feet of fire hydrants, utility poles, sanitary sewer, storm sewer or water lines, or within twenty (20) feet of street light standards or street intersections, or within five (5) feet of a private driveway or alley. New utility poles shall not be located within five (5) feet of an existing street tree. Variations to these distances may be granted by the Public Works Director and as may be required to ensure adequate clear vision.

Finding: This criteria has been met by including a condition of approval to ensure setbacks to public utilities and improvements in the public right-of-way are maintained. This is reflected in Condition of Approval #8 in this decision document.

JF:sjs

EXHIBIT 6 - STAFF REPORT

DATE: October 17, 2018
TO: Landscape Review Committee
FROM: Jamie Fleckenstein, PLA, Associate Planner
SUBJECT: Agenda Item 4D: L 38-18

Report in Brief:

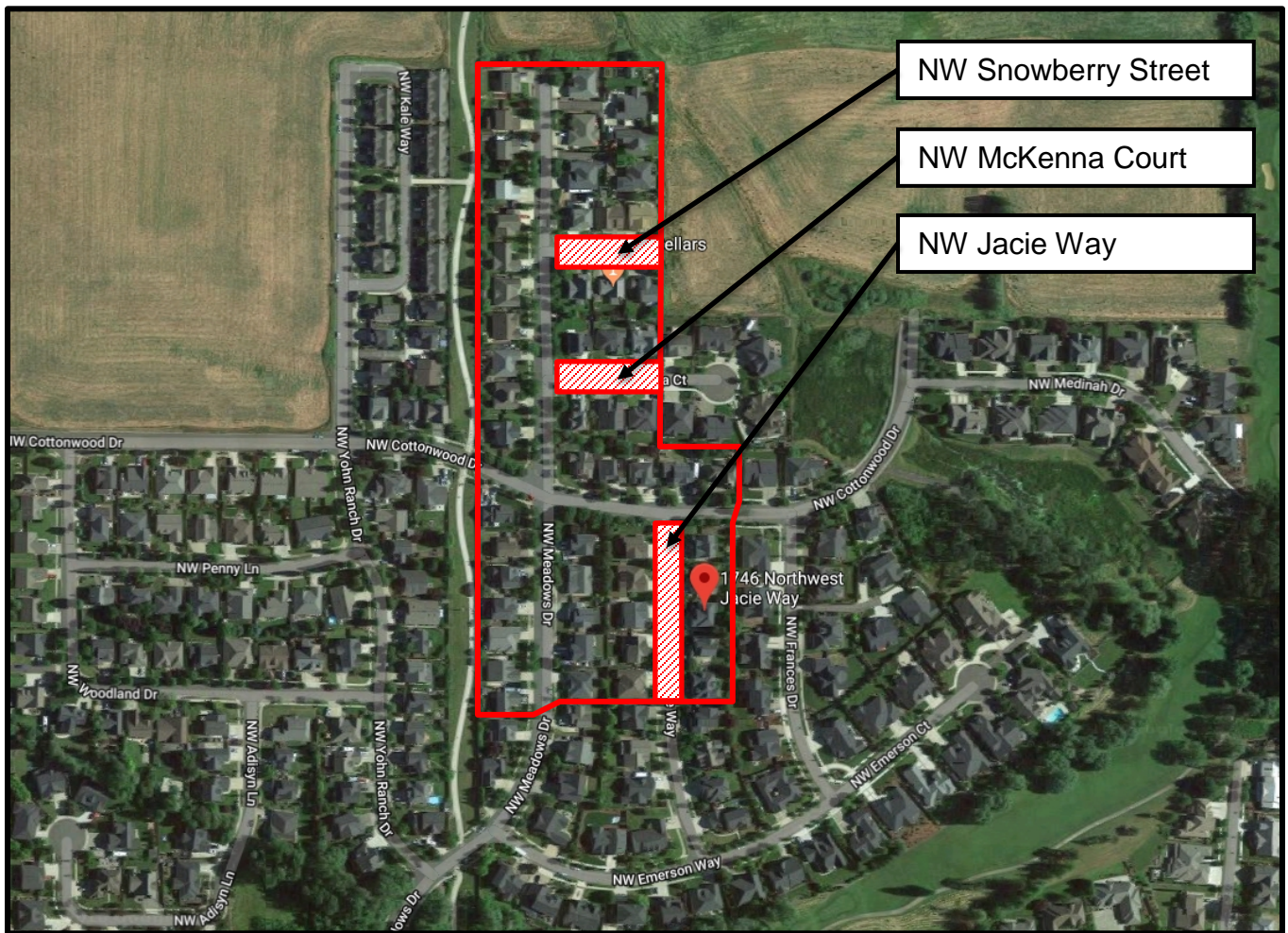
A Street Tree Improvement Plan for the Cottonwood 1st Addition subdivision (L 38-18) to be reviewed by the Landscape Review Committee.

Background:

It has come to staff's attention that there is widespread failure of street trees in the NW Jacie Way right-of-way in the Cottonwood 1st Addition subdivision in northwest McMinnville. The same street tree exists along NW Snowberry Street and NW McKenna Court. The subject street tree is *Pyrus calleryana* 'Chanticleer' (Chanticleer Callery Pear), which is not an approved variety on the McMinnville Street Tree List. Staff is recommending a revision to the Cottonwood 1st Addition Street Tree to specify a suitable substitution, so replacement trees are not required to be *Pyrus calleryana* 'Chanticleer' (Chanticleer Callery Pear), since it is exhibiting long-term problems as a street tree in the public right-of-way. The City has determined that this subdivision could be a candidate for a Street Tree Improvement Plan to allow for an expedited administrative process for property owners to follow when requesting street tree removal and replacement. The subdivision is located in the northwest quadrant of the City, and includes NW Jacie Way, NW Snowberry Street, and NW McKenna Court.

Discussion:

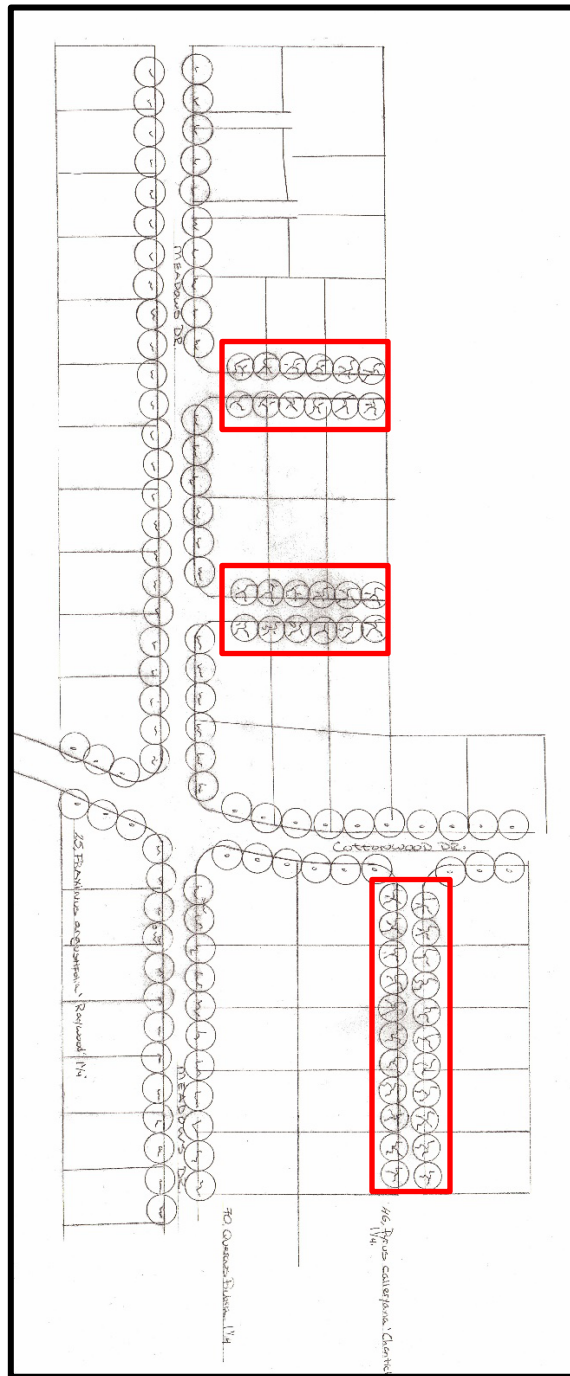
The subject public rights-of-way are the portions of NW Jacie Way, NW McKenna Court, and NW Snowberry Street within the Cottonwood 1st Addition subdivision. The subdivision can be seen on the map below outlined in red, and the subject rights-of-way are identified by the hatched areas:



A street tree removal application (L 31-18) was received by the planning department for the property at 1746 NW Jacie Way requesting the removal of three (3) *Pyrus calleryana* 'Chanticleer' (Chanticleer Callery Pear) trees from the right-of-way adjacent to the property. The applicant states that in the one year they have lived in the home, six (6) branches have fallen from the trees, one falling on a neighbor's car, two falling into the street (where targets often are), and three falling into the area of their yard where their children play. The applicant further stated that this type of limb failure was occurring frequently with many other Chanticleer Callery Pear trees along NW Jacie Way. Also included in the application was literature and documentation supporting the claim that this species of street tree, *Pyrus calleryana*, has poor branching structure that predisposes it to limb breakage under its own weight or due to wind, snow, ice, etc. The applicant would like to replace the street trees with a different species that does not have the characteristics of the Chanticleer Callery Pear.

While waiting to obtain an arborist report to complete the street tree removal application, another large branch fell at the time the applicant's child was nearby. Due to this safety issue, an emergency removal permit was requested by the applicant.

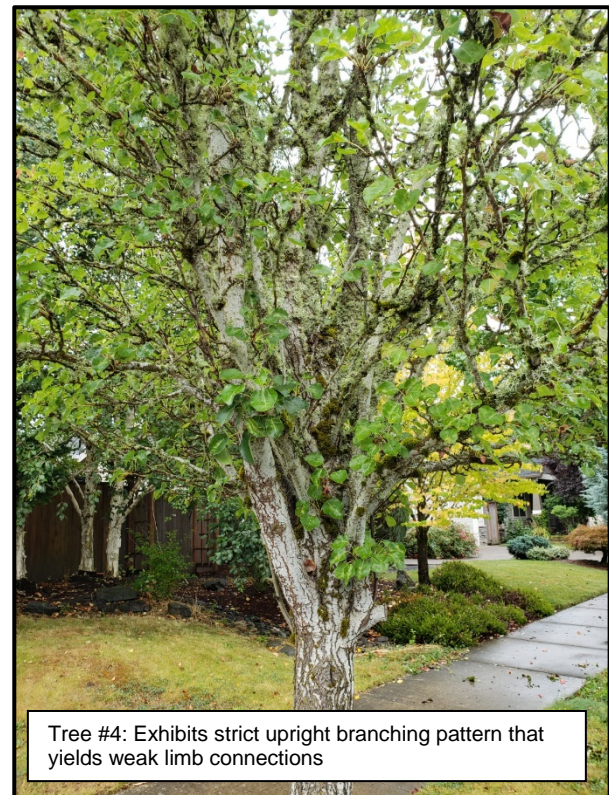
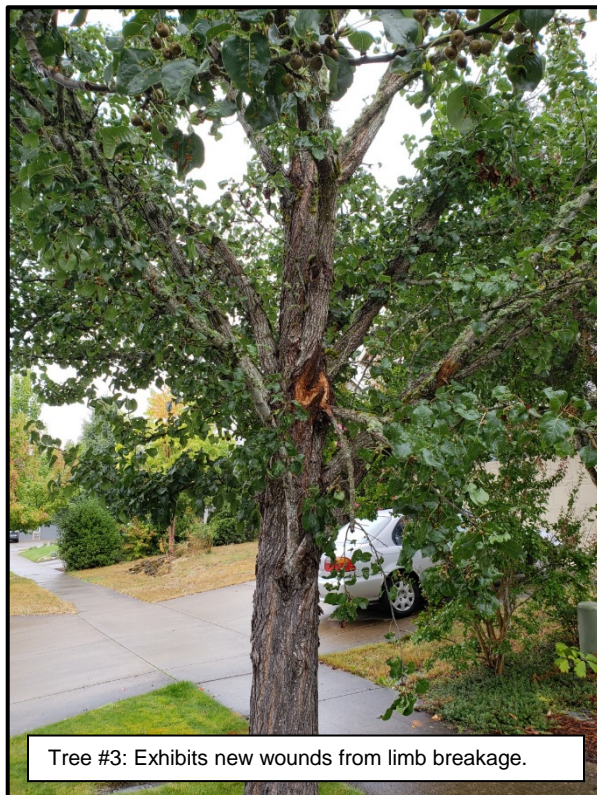
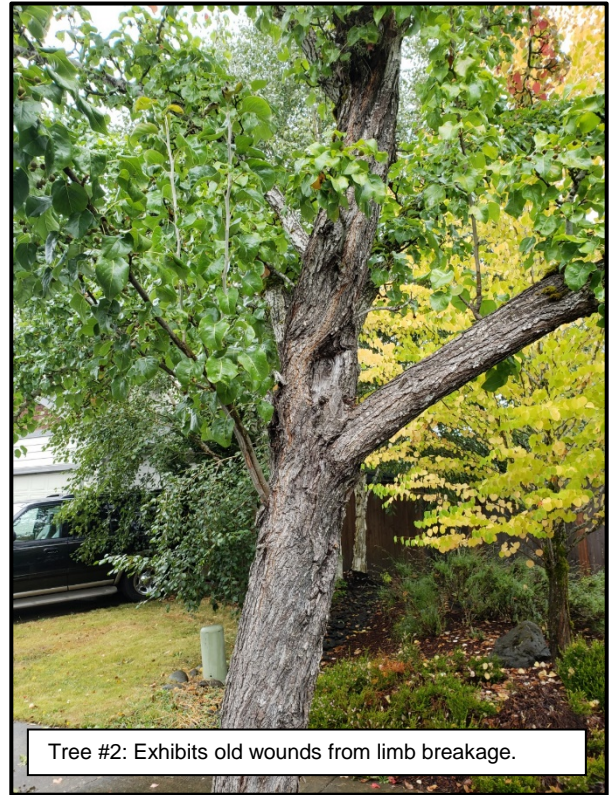
In researching the background of the property and the application, it was found that an approved street tree plan for the Cottonwood 1st Addition Subdivision (L 7-05) specifies *Pyrus calleryana* 'Chanticleer' (Chanticleer Callery Pear) as the designated street tree for NW Jacie Way, as well as NW Snowberry Street and NW McKenna Court. The approved street tree plan can be seen below, with the subject rights-of-way outlined in red:



Pyrus calleryana is an approved medium street tree on the McMinnville Street Tree List, however, the variety 'Chanticleer' is not listed as an acceptable variety.

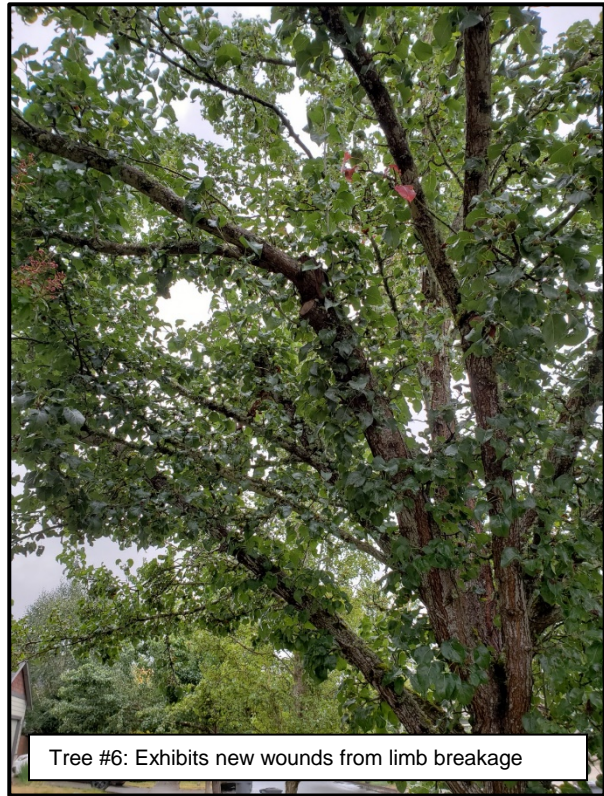
To provide further information to the Planning Director for consideration of the emergency tree removal permit request, staff conducted a visual inspection of the street trees requested to be removed in front of 1746 NW Jacie Way, as well as the other *Pyrus calleryana* 'Chanticleer' trees along the street. Approximately 80% of the Chanticleer Pear street trees on Jacie Way show evidence of large limb breakage, including recent scars, old scars, and recent broken limbs. All the trees show the branching structure characteristic of the variety that leads to weak connections and limb failure – distinctly upright branching patterns causing with narrowly crotched branches with included bark. This leads staff to

believe that these street trees will continue to exhibit limb failure and breakage as the trees age. Representative photos of the *Pyrus calleryana* 'Chanticleer' trees along NW Jacie Way are seen below:





Tree #5: Exhibits old wounds from limb breakage



Tree #6: Exhibits new wounds from limb breakage



Tree #7: Exhibits new wounds from limb breakage



Tree #8: Exhibits old wounds from limb breakage



Tree #9: Exhibits old wounds from limb breakage and resulting poor form



Tree #10: Exhibits old wounds from limb breakage and resulting poor form



Tree #11: Exhibits old wounds from limb breakage upright branching that yields weak limb connections



Tree #12: Exhibits new wounds from limb breakage

Based on the condition of the existing trees, evidence of the history of limb failure of the subject trees, and the proximity of targets within the public right-of-way and private property, and the long term suitability of the trees, it was staff's recommendation that the emergency tree removal permit request be approved. The Planning Director approved the emergency removal of the subject trees.

The applicant for L 31-18 also proposed replacing the three (3) *Pyrus calleryana* 'Chanticleer' with three (3) *Cercidiphyllum japonicum* (Katsura Tree), a tree found elsewhere in the neighborhood, but not identified on the approved street tree plan as the street tree for NW Jacie Way. McMinnville Zoning Ordinance Section 17.57.070(C) requires "All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement." Without revision to the Cottonwood 1st Addition Approved Street Tree Plan, any *Pyrus calleryana* 'Chanticleer' removed on NW Jacie Way, NW Snowberry Street, or NW McKenna Court, would necessarily need in-kind replacement.

There is sufficient horticultural research to question the suitability of *Pyrus calleryana* (Callery Pear) and the named variety 'Chanticleer' (also known as 'Glen's Form', 'Select', 'Cleveland Select', 'Stone Hill', and others) for use as a street tree in McMinnville. The McMinnville Street Tree List identifies several characteristics that, in, general, street trees in McMinnville should possess, including:

- Non-columnar to provide the maximum amount of tree canopy (some exceptions);
- Not brittle or weak-wooded;

There are many horticultural sources that identify *Pyrus calleryana* as brittle, *Pyrus calleryana* 'Chanticleer' as both brittle and columnar. *Pyrus calleryana* is also beginning to be identified as an invasive plant in areas because of the fruit that can be borne by the tree and some varieties.

- Oregon State University, College of Agricultural Sciences, Dept. of Horticulture, Landscape Plants
 - <https://landscapeplants.oregonstate.edu/plants/pyrus-calleryana>
 - "Chanticleer® (syn. 'Select', 'Cleveland Select' 'Glen's Form') – upright, narrow columnar form [...]"
- Missouri Botanical Garden
 - <http://www.missouribotanicalgarden.org/PlantFinder/PlantFinderDetails.aspx?kempercode=a720>
 - Noteworthy Characteristics [*Pyrus calleryana*]
 - "[*Pyrus calleryana*] By the 1980s, concerns about both overplanting and structural weakness (limb breakage from wind, ice and snow) began to surface. Today, additional concerns about invasiveness (non-sterile forms are escaping cultivation and naturalizing in some areas) are being addressed."
 - "'Chanticleer' (synonymous with and also known as 'Cleveland Select', 'Select', 'Stone Hill' or 'Glen's Form') [...] is a tight, narrow, pyramidal, thornless ornamental pear tree that typically grows 25-35' tall and 15' wide. Some specimens appear almost columnar in habit."
 - Problems
 - "'Chanticleer' is [...] susceptible to limb breakage or splitting from strong wind, snow or ice, but is much stronger than some other cultivars such as *P. calleryana* 'Bradford'."
- Morton Arboretum
 - <http://www.mortonarb.org/trees-plants/tree-plant-descriptions/callery-pear-not-recommended>

- “Callery pear has invasive traits that enable it to spread aggressively. This tree is under observation and may be listed on official invasive species lists in the near future. Review of risks should be undertaken before selecting this tree for planting sites. The various cultivars of this species are more commonly available than the species itself. Callery pear has a weak wood and branch structure and is susceptible to ice storm damage.”
- Disease, pests, and problems
 - [...] the tree’s narrow branch angles make trees prone to breakage and limit its ornamental usefulness. It can self-sow fairly readily and has become aggressive in some areas due to this.
- University of Connecticut, College of Agriculture, Health & Natural Resources Plant Database
 - <http://hort.uconn.edu/detail.php?pid=373>
 - Liabilities [*Pyrus calleryana*]
 - tree tends to split with age, because of tight crotch angles
 - limb breakage from wind, snow, and ice
 - “Regardless of cultivar, *Pyrus calleryana* is wholly overused in the landscape, leading to monotony and boredom. The rigid habit of the plant also makes the species appear out-of-place in most situations. Other plant choices should generally be investigated when *P. calleryana* is called for.”
- Ohio State University, OSU Pocket Gardener
 - https://hvp.osu.edu/pocketgardener/source/description/py_ryana.html
 - Culture [*Pyrus calleryana*]
 - “the major liability that this species has is its poor branching habit, which renders the tree a sitting duck for major branch shearing at times of high winds or heavy ice load”
 - “this liability is caused by the numerous weak crotch angles, due to the vertical co-dominant central leaders that repeat up and down the canopy, with narrow angles of separation between the vertical branches, having little strength at their points of attachment to each other”
- University of Illinois Extension, “Callery Pears Can Cause Problems”, Sandra Mason, State Master Gardener Coordinator
 - <https://web.extension.illinois.edu/cfiv/homeowners/050223.html>
 - “[Bradford Pear] develops weakly attached branches with narrow crotch angles. Plus there are usually 6-8 branches coming from the same point on the trunk. They look like upside down umbrellas. Often large limbs are lost in wind and ice storms, but can also fail on a calm day. Typically limbs rip down the trunk and give the tree a very unsymmetrical look.”
 - “‘Bradford’ pear is a cultivar of Callery pear. A number of new Callery pear cultivars were introduced with different branching patterns, in the hope that they would have less chance of breaking apart. Bill Vander Weit, City Forester for the City of Champaign states, “We have planted several of the improved cultivars of Callery pear and have found them to have the same tendency to branch failure that we find in ‘Bradford’ pear. In particular we have experienced branch breakage with ‘Chanticleer’ and ‘Redspire’ pear.”
 - “Because of these problems, the City of Champaign will no longer permit the planting of Callery pears on the City right-of-way.”
- University of California, California Tree Failure Report Program
 - https://ucanr.edu/sites/treefail/Failure_Photos/Pyrus_calleryana/
 - As of July 5, 2010, there were 68 reports of Callery pear failures in the database. 34 of those were branch failures. 26 failed at the point of attachment. Decay was noted in 7 of

- the branch failures. The most commonly associated structural defects were included bark, codominance and multiple branches originating at the same point.
- As of December 30, 2013 there are 85 reports of Callery pear failures in the database. 45 branch, 27 trunk, and 13 root. Failure patterns remain the same. Most commonly noted structural defects over all 85 cases are codominance (40), included bark (37), multiple branches originating at the same point (32) and decay (26).

Because the Chanticleer Callery Pear is an upright, narrow tree (arguably columnar in some cases) that is prone to limb failure as the tree ages due to poor branching structure, and the Street Tree List states that McMinnville's street trees should be non-columnar and should not be brittle or weak wooded, Staff is recommending changing the approved street tree for NW Jacie Way, NW Snowberry Street, and NW McKenna Court to *Cercidiphyllum japonicum* (Katsura Tree). A single replacement option is preferred to maintain the mono-culture and uniform appearance of the street trees, as intended by the original approved Street Tree Plan.

Katsura Tree is an approved large tree on the McMinnville Street Tree List. The planting strip is approximately six (6) feet wide, and can accommodate the Katsura Tree. Katsura Trees grow to approximately 40 to 50 feet in height, and 25 to 35 feet in width. This is a more desirable mature width in a street tree than the Callery Pear offers because it offers a continuous canopy at a wider tree spacing. *Cercidiphyllum japonicum* offers unique foliage coloring in spring, summer, and fall, and has none of the known structural issues of the Chanticleer Callery Pear.

It is anticipated that the number of Street Tree Removal permit applications requesting removal of *Pyrus calleryana* 'Chanticleer' trees along the public rights-of way of NW Jacie Way, NW Snowberry Street and NW McKenna Court will increase in the near future due to the existing trees' tendency to exhibit major limb failure. Adopting a Street Tree Improvement Plan for these streets will allow the homeowners to replace the problematic *Pyrus calleryana* 'Chanticleer' to *Cercidiphyllum japonicum*, a more suitable street tree, and re-establish the tree lined street and continuous canopy that are goals of the McMinnville Street Tree program.

The City has implemented Street Tree Improvement Plans in other subdivisions that have experienced similar problems with existing street trees. One example is the Westvale 4th Addition subdivision Street Tree Improvement Plan. The Westvale 4th Addition is located in the southwest quadrant of the City, east of Hill Road, and includes a portion of SW Fellows Street.

A street tree improvement plan basically acknowledges that street trees within a particular area in the City exhibit characteristics that will likely lead to request to remove the trees, based on the standard criteria used to determine whether a street tree may be removed. Section 17.58.040 (A) of the McMinnville Zoning Ordinance provides for some flexibility in the Landscape Review Committee approving tree removals, and in the case of a street tree improvement plan, the Landscape Review Committee allows for the Planning Director to administratively approve removal requests in a particular area as defined by the Landscape Review Committee.

The main issue that has been encountered in this subdivision are trees failing and posing hazards to the public right-of-way. This has led to a number of street tree removal requests, including one reviewed by the Landscape Review Committee this month. Section 17.58.050 of the McMinnville Zoning Ordinance states that street tree removals may be granted if any of the following criteria apply:

- A. The tree is unsafe, dead, or diseased as determined by a Certified Arborist. Verification of tree health may be required, at the expense of the applicant, by a Certified Arborist acceptable to the City.

- B. The tree is in conflict with public improvements.
- C. The proposed removal or pruning is part of an approved development project, a public improvement project where no alternative is available, or is part of a street tree improvement program.
- D. A street tree within the downtown tree zone may also be removed if the Planning Director determines that the tree is causing repeated and excessive damage to sidewalks or other public or private improvements or structures.

The street trees in this subdivision meet the criteria above, specifically Section 17.58.050 (A). To address this ongoing issue, Staff have drafted a Street Tree Improvement Plan for Cottonwood 1st Addition. Based on the rationale above, staff believes that the Street Tree Improvement Plan is justified, and would allow for an expedited administrative process for property owners to remove and replace street trees. The property owner would still be required to submit an application for review by the Planning Director, and the owner would still need to demonstrate a specific street tree problem such as tree health or impacts to surrounding infrastructure. All of the typical tree replacement regulations would still be required, such as tree replacement, installation of root barriers, watering tubes, and stakes, and the replacement trees would be required to be inspected by the Public Works Superintendent prior to completing installation. This would ensure that as street trees are removed and replaced in this subdivision, they are planted correctly and replaced with a species that does not present the same long-term health issues.

Fiscal Impact:

None.

Recommendation/Suggested Motion:

Based on the rationale described above, staff is recommending that the Cottonwood 1st Addition Street Tree Improvement Plan be approved with the following conditions:

1. That any property owner requesting to remove a street tree within the NW Jacie Way, NW McKenna Court, and NW Snowberry Street rights-of-way in the Cottonwood 1st Addition subdivision submit a tree removal application for review by the Planning Department. The Planning Director shall have the ability to administratively approve the removal and replacement of street trees within the Cottonwood 1st Addition Street Tree Improvement Plan area.
2. That any future applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during this process.
3. That any tree's stumps and remaining surface roots shall be removed at least six (6) inches below grade.
4. That any future applicant shall make any necessary sidewalk repairs and obtain necessary permits from the City prior to initiating such work. It is recommended that the sidewalk repairs be completed prior to replanting the tree. Please call the Engineering Department at (503) 434-7312 for sidewalk standards and specifications prior to construction.
5. That any future applicant shall plant one (1) replacement tree for each tree approved to be removed. The tree shall be a minimum of two (2) inches in caliper measured at six (6) inches above grade, and of a species from the approved Cottonwood 1st Addition Street Tree Improvement Plan tree list.
6. That any replacement trees shall be provided with root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of the

tree and the curb side of the tree. The root barrier protection shall be placed in 10-foot lengths, centered on the tree, and to a depth of eighteen (18) inches. In addition, the tree shall be provided with deep watering tubes to promote deep root growth (see enclosed detail).

7. That any future applicant shall contact the McMinnville Public Works Superintendent, David Renshaw, at (503) 434-7316 to discuss specific staking, watering tube requirements, and to schedule a planting inspection prior to backfilling.
8. That all planter areas shall be restored to original grade immediately following the planting of any replacement tree.
9. That all costs and liability associated with a tree's removal shall be borne by any future applicant.
10. That any future applicant shall complete the removal and replacement within six (6) months of receiving approval.

Suggested Motion: Staff recommends that a motion be made to approve the Cottonwood 1st Addition Street Tree Improvement Plan, subject to the conditions as noted in the staff report.



Street Tree Improvement Plan Cottonwood 1st Addition

The City intends to implement a street tree improvement plan for this area in order to create an expedited administrative process for property owners seeking to remove and replace street trees. As per ordinance, all costs for street tree maintenance, removals and replacements, as well as sidewalk repairs, will be the responsibility of the adjacent property owner. Permit applications in replacement tree plan areas will be processed administratively by the Planning Department. Sidewalk removal/replacement permit requirements shall remain in effect for all street tree replacement plans.

All street tree replacement plans shall:

1. Be specific to a defined area, and related to specific, observed street tree problems (health, structural problems, conflicts with public improvements, etc.) within the given area.
2. Provide a rationale for removing existing trees and implementing a replacement program.
3. Include a list of approved street tree choices appropriate to the planting situation.
4. Provide a specific construction detail that clearly describes required planting practices.
5. Allow for administrative approval by the Planning Director of removal/replacement applications. A permit for tree removal shall be granted if:
 - a. The tree is unsafe, dead or diseased, as determined by the Planning Director or designee, or a certified arborist.
 - b. The tree is in conflict with public improvements.
 - c. The proposed removal is part of an approved development project, a public improvement project where no alternative is available, or is part of a street tree improvement program.
 - d. The tree poses likely future conflicts with public improvements, as determined by the Planning Director or designee.
 - e. The tree poses an imminent danger to the public or any private property owner or occupant
6. Require all plantings be inspected and approved by City staff.
7. All Street Tree Improvement Plans shall be reviewed by the Planning Director and approved by the Landscape Review Committee.

Cottonwood 1st Addition Street Tree Improvement Plan

A. Defined area (see attached map): Includes the following public rights-of-way within the Cottonwood 1st Addition subdivision:

- NW Jacie Way, within Cottonwood 1st Addition
- NW McKenna Court, within Cottonwood 1st Addition
- NW Snowberry Street

B. Rationale:

- a. An approved Street Tree Plan for Cottonwood 1st Addition subdivision (L 7-05) indicates the approved street tree for NW Jacie Way, NW McKenna Court, and NW Snowberry Street is *Pyrus calleryana* 'Chanticleer' (Chanticleer Callery Pear).
- b. The planting strip within this subdivision is about 6' in width. There are various utilities boxes, hydrants and street lighting poles located in the park strip as well. There is underground electrical in several locations as well. There are no overhead conflicts.
- c. In multiple locations within the subdivision the existing trees are showing extensive branch and limb failure due to narrow branch angles. This is a known characteristic structural issue with the *Pyrus calleryana* 'Chanticleer' (Chanticleer Callery Pear).

C. Approved Street Tree List for area (from City's approved list):

a. Site characteristics lend themselves to large sized trees

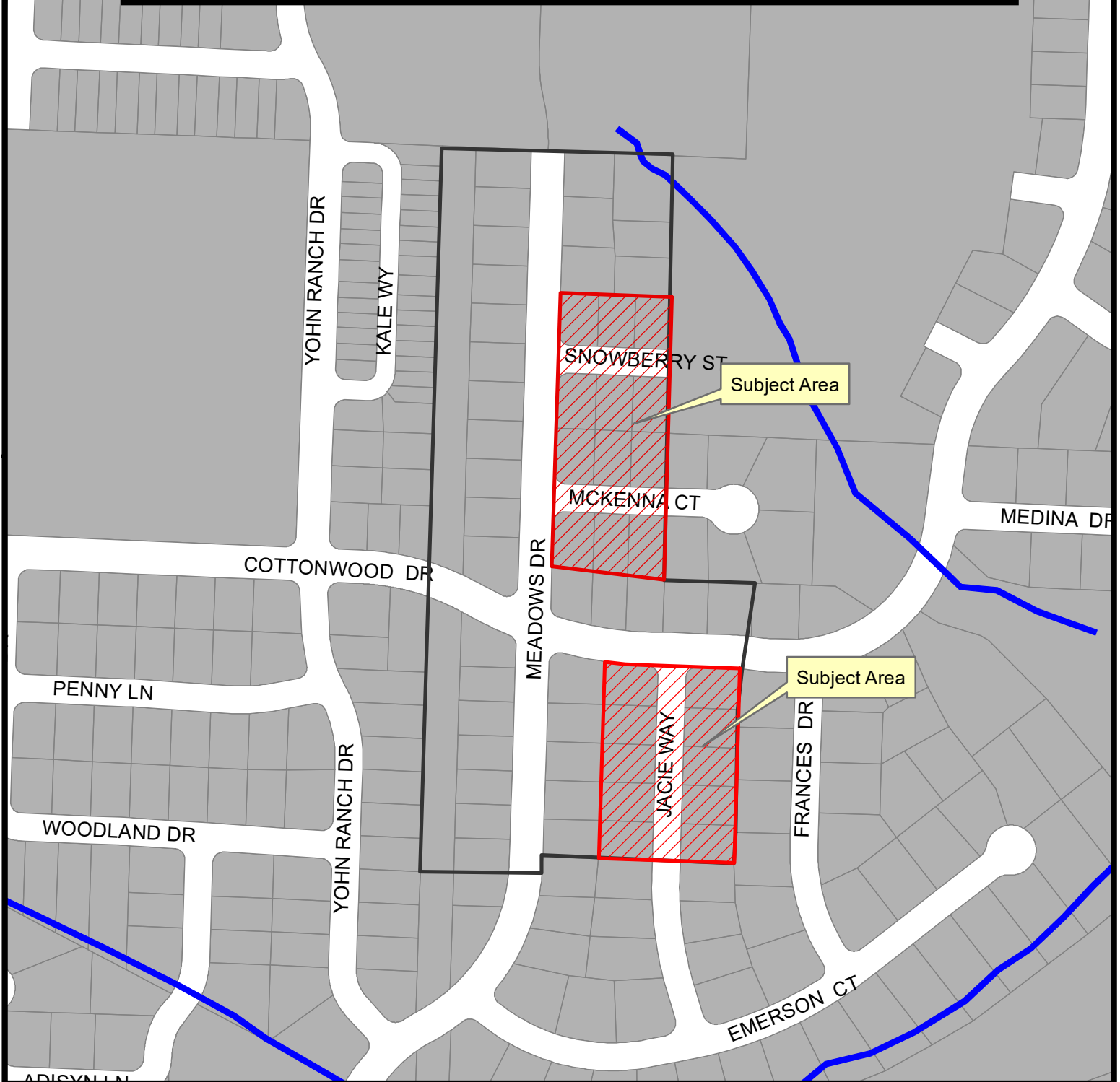
- i. Mature height over 40'
- ii. Minimum planting strip width: six feet
- iii. Trees spaced to provide continuous canopy at maturity

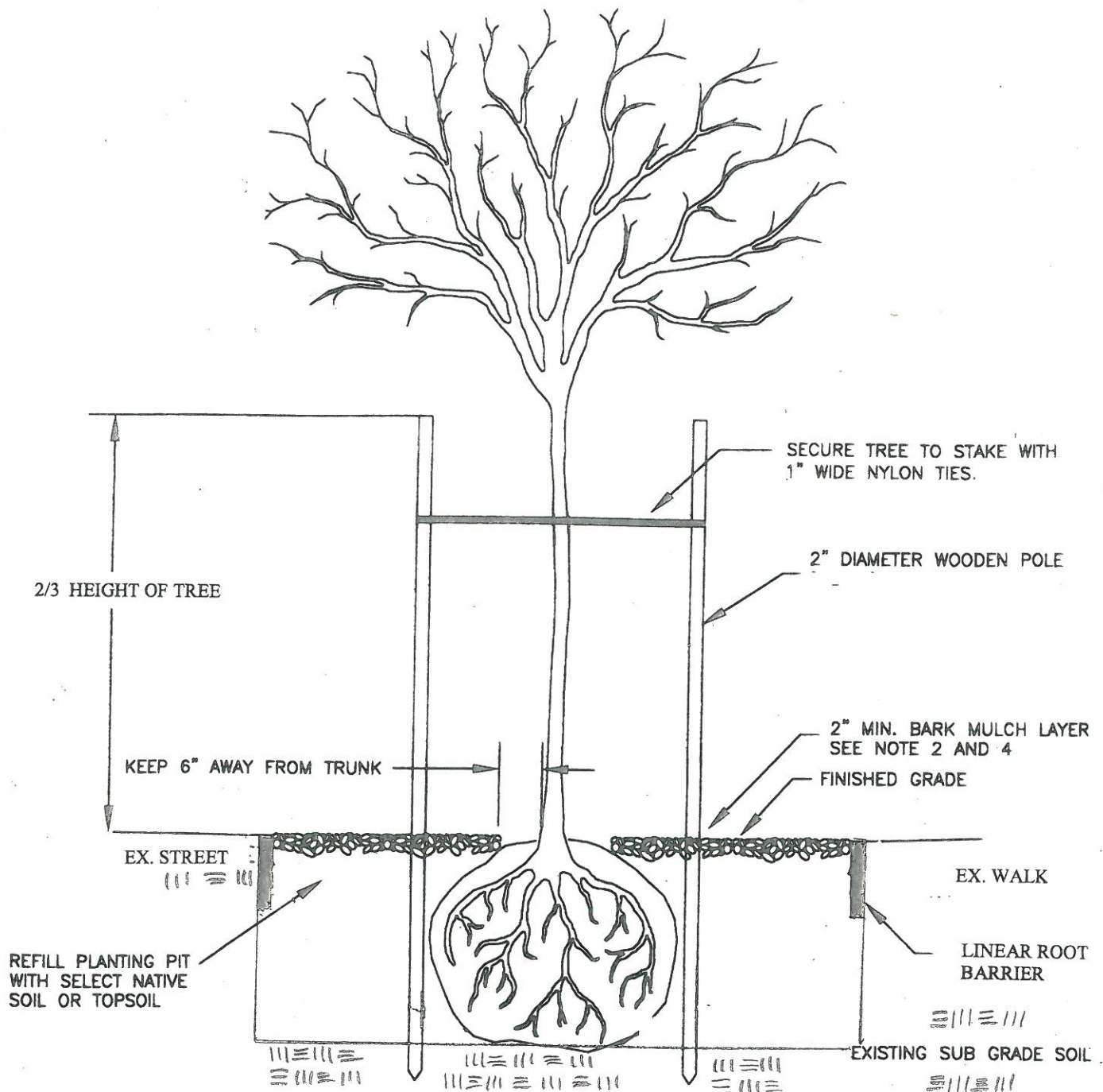
b. Approved Street Tree:

- *Cercidiphyllum japonicum* (Katsuratree)

D. Construction Detail (see attached): all new plantings shall require linear root barrier protection, deep watering tubes, mulch and staking as per the attached detail.

Areas Included in the Cottonwood 1st Addition Street Tree Improvement





1. DIG PLANTING PIT TO FIT PLANTER. DIG NO DEEPER THAN THE DEPT OF THE ROOTBALL.
2. SET ROOTBALL ON FIRM SURFACE. PLACE ROOT FLARE SLIGHTLY BELOW SIDEWALK GRADE TO ALLOW FOR TOP OF MULC AT SIDEWALK GRADE
3. BACKFILL WITH SELECT NATIVE SOIL OR TOPSOIL
4. MULCH WITH BARK TO A MIN. DEPTH OF 2". KEEP MULCH 6" AWAY FROM TRUNK.
5. ON BALLED AND BURLAP TREES, CUT & PEEL AWAY WIRE FRAM FROM ROOTBALL, LEAVE BURLAP AND FRAME IN PLANTING HOLE.
6. INSTALL ROOTBARRIER PROTECTION ON SIDEWALK AND STREET SIDE OF PLANTER. SHALL BE MINIMUM 18" DEEP COMMERCIALY ENGINEERED ROOTBARRIER PANEL, "BIO-BARRIER" OR APPROVED EQUAL.
7. INSTALL TWO (2) 4" X 36" CORRUGATED PLASTIC DEEP WATERING TUBES (NOT SHOWN) ON EITHER SIDE OF TREE.